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Peter Gates to James Duane with copy of Bennington Advertisement of Ethan Allen & Others. Albany 7th April 1772.

Sir.—

Having Nothing to write to you in the legal way. I beg the liberty to enclose for your perusal a Molasses advertisement a piece composed by the fertile Brains of some New England Politician. A New-England man, arrived from Bennington last week left a printed one in this City with a Tavern Keeper, in the Yankee phraseology vulgarly termed Landlord Benedict who favored me with a copy thereof. I understand a number of them are now circulating through N. Hampshire Government. I am really sorry that some effectual means are not planned and put into execution to bring a mob of such lawless rioters to condign punishment. The Posse Comitatus will, I humbly conceive by no means answer the purpose. You will stand in need of military force to bring these people to a proper sense of their duty and obedience to the Laws of the Country and till this happens you will never I presume recover the possession of your lands at Bennington.—However as I am but a slender Politician I may be mistaken and with compliments to Mr Kempe I am your most

Hble. Servt. (in great haste.

Peter Mc Gates.

Advertisement—£25 Reward.

Whereas James Duane and John Kempe of New York, have by their Menaces and Threats greatly disturbed the Publick Peace and Repose of the honest Peasants of Bennington and the settlements to the Northward which Peasants are now & have been in the Peace of God & the King, and are patriotic and liege subjects of George the Third—Any person that will apprehend those common disturbers. (viz) James Duane and John Kemp. and bring them to Landlords Forys. at Bennington shall have £15 Reward: James Duane and 10 £. for John Kemp paid by:

Ethan Allen.
Remember Baker.
Robert Coughran.

Dated at Pawlett.
Feb 5th 1770.

John Munro to James Duane.

Parlis, in the County of Albany, March 28th 1772.

Dear Sir.

By my letter to Mr. Kempe of the 27th instant you will be acquainted with my expedition against Mr. Baker. You always flatter yourselves with the New England men's turning good and faithful subjects; but believe me that it is my solid opinion, if you was to bestow all your lands upon them without any fee or reward, they never will be faithful to this Government, for they are all possessed with a spirit of contradiction — they are so full of venom and spite against the Government and all its Authority that though they are forced to comply, yet the sting remains, and they'll talk so smooth and handsome, yet the Devil lies at the bottom. I sincerely believe that they'll stand an engagement, come again them who will: and for my part I wish they may, that we may have the opportunity of securing the heads of them.

I believe their behaviour to me this trip will convince the Government what they are; but, unlucky for me, that no man of spirit can be found here: Had I but ten men that would stand by me when the Bennington mob met me, I should have Mr. Baker in Albany Gaol — but all ran for it, only the two constables — but we was not sufficient to stand the force that came against us, for I expected nothing but that they would murder us upon the spot; for every man came up with his gun cocked at us. For my part there is nothing for me, but to fight or die, which I intend to do to the very last. But the terror that my family is put in, crowds still harder upon me; and if I shall put them out of the way, it shall be giving them more pleasure. I am really afraid that when the villain gets well of his wounds he will be revenged. However I have his gun and I am determined to give him the full of it, before he shall get into the House.

However, should I be so unhappy as to lose my life by these villains, I must beg of Mr. Kempe, you, or my other friends at New York shall be kind to my helpless family, an see that they shall have justice done to them.

I have been recommending some to you in order to put them in the commission of the peace, but I beg you will prevent it, for they shall never be credit to the office God grant that I may see the day that I shall have some good and wholesome inhabitants about me, for if I was to be murdered to night, with all my family, not one single soul would come to my relief.— Therefore whatever the Government intends to do, I pray it may be soon done, for I am not able to stand it long at any rate.

I was in a fair way to recover but this trouble have thrown me back very much.

Pray be so kind as to write me soon, either you, or Mr. Kempe.

I am

Sir, Your very Obt. Servt.

John Munro.

Recieved

From the Connecticut Courant, June 2-9--1772, No 389.

The following contains a true narrative of the sufferings and abuses, received by Mr. Remember Baker, his wife, and family, on the 22d day of March, A.D. 1772, at his own dwelling house in Arlington, and on the lands granted by his late Excellency Benning Wentworth Esq; late Governor of the Province of New Hampshire. (See Courant No. 383.)

This wicked, inhumane, most barbarious, infamous, cruel, villainous and thievish Act, was perpetrated, committed, and carried into execution by one John Munro, a reputed Justice of the Peace, living near that place, with a number of raffacns, his neighbours; Who after a Lord's day consultation in plotting this wicked and horid design, surprised the said Baker in his said dwelling house, about the first appearance of morning light, On the said 22d day of March, and after making an attempt to discharge their fire arms, through the door of the said Baker's House, and finding their arms missing fire, said Munro, with his attendants, did, with axes, forcibly break and enter the said Baker's house, and with weapons of death, spread destruction round the room, cutting with swords and bruising with fire arms and clubs, Men, women & children, Swearing by God he would have Baker, dead or alive, and that he would burn the house, Baker, Wife, and children and all the effects, and to compass and bring this villainous scheme into execution, did, with his own wicked and rebellious hand, convey fire from the hearth in the said house to a cupboard in the room, it being the most convenient place to answer his intention, when all on a sudden, as quick as a flash, a Judas Spirit, that of gain and plunder, over ballanced his wicked noddle. This being agreed on, he instantly thrust his sword at Mrs. Baker, with an intention to have ended in that instant her life, (as he has since confessed.) when her right arm, near her elbow joint,

for that time, happily preserved her from the intended murder. Others in the mean time, his attendants were mawling, beating and bruising his children. Mr. Baker having at that time posted himself in his chamber, for the better security of himself family and effects; finding that their malice, oaths, and imprecations were principally leveled at his person, thought most proper to leave his chamber, thinking thereby to draw the murderers after him, and so give his family, in their wounded circumstances, a better opportunity to save themselves from impending ruin, and utter destruction — accordingly burst a board from the gable end of the house and leaped out at the window he had by that means made; when part of the ruffains, by the said Justice's command, were ordered (after firing on said Baker, and saying three times successively d—n him, he is dead) to set on him a large spiteful, wilful, and very Melicious dog, educated and brought up agreeable to their own forms and customs, who, being like those other servants of the devil at that time all obedience, seized the said Baker, and being instantly joined by those his cruel partners bound and pinioned him so fast, that he was unable to use or make even the least resistance, in defence of himself, his unhappy wounded wife, or his poor, helpless, distressed children. And not being as yet satisfied with their own unlawful proceedings, and their thirst for blood not being quenched, the better to enhance and increase their horid crime, and procure a full draught of human blood, to quench their unnatural thirst, did convey said Baker to the carriage in which they rode; where in his confined state the said John did with his attendants Tomahawk, cut and slash in spots, that their eyes might see a life languish out by degrees in streams of blood, while they did, with a G—d D— n at almost every breath, laugh him in the face, to express their satisfaction in his agonizing groans.

In this awful and lamentabble situation, almost on the verge of eternity, by means of the bruises, cuts and great effusion of blood, said Baker with a voice according to his strength, called for his clothes, as he was yet naked from his bed, who was denied them by the said Justice, which, after several strokes with his naked sword over said Baker's naked face and eyes, and breaking the sword in three peices, and gave him this reflection, that G-d d-n him he would cloth him, a G-d d-d traitor; which aggravating, threats, gave them a new sick to their beloved revenge. Thus they continued him naked in his journey, for the space of four miles and a half, with many cruel words, and hard blows, stopping his breath, with handkerchiefs, till almost suffocated, lest he should apply to some person for relief.

The said justice and attendants had taken what of the effects belonged to the house, he and they thought worthy their present affected notice; although they would in probability have been more faithful in the prosecution of self and worldly gain, had they not have feared a surprise in so unchristian an act. They pursued their journey with severe words and cruel threats as though resolved to take a full swing and make an ample feast of human cruelty, until pursued by three persons, loyal and faithful subjects to the crown of Great Britain, whose banner they mean evermore to live and die under, and, after inquiring for the preservation of the life of said Baker, were immediately fired on by several of Munro's party and robbed of what interest he had with him, to the value of forty dollars, as a fresh sick and recruit to their hellish demand.

Those distressing tidings being soon spread on the premises, enhanced the innocent inhabitants, and for the preservation of Baker, his family, & their own persons, families and effects. Some of them died pursuit the said carriage about thirty miles, and when said John with his attendants, being savage like, conscience struck, and condemned, ran and hid themselves so private that it is not known by his or their acquaintance, where they have ever been seen since; leaving the said

Baker with very little remains of life, unable to fight for himself, who willingly in his capacity accepted of mercy, which he had so long been a stranger to...

The foregoing contains but a very short, though true account, of the barbarous condact of the said John towards the said Baker and family — and such conduct exercided by a pretended civil magistrate, or such a magistrate rather must be dishonorable, a reproach, shame, disgrace, &c, on the laws, restrictions, regulations, peace, manners, good order, and economy, both of the Laws of God and Man.

The above and much more can be attested with good authority, as many worthy persons were eye witnesses of the said tragedy.

The robber has since been confessed by the said Justice, and he has promised to make amends.

September 22d 1772.

The vision of Isaiah the Benningtonite —

1

The word of the L-d which came unto Isaiah the servant of the L-d when Dunmore, Zimmer & Colden & Kemp with all their confederates fought against Bennington & the adjacent country. Thus saith the L-d, son of man set thy face towards the bloody City & I will shew thee what thou must reveal on the housetops even the great abominations of the Yorkites and their outrages committed on my chosen people in the north. So I turned my face towards the abominable city, and the spirit of the L-d rested on me, and I saw and beheld an evil spirit from the Devil rested on the heads of Duane and Kemp and they conspired together against the L-ds inheritance striving to set the L-d's annointed against his people, falsly accusing them before the Court of Great Britain, purposing by fallacy, craft & hostility, to lay waste the holy hill of Bennington and drive the people from the goodly land of which the L-d said unto them go in and possess it. Than and thy seed forever and drive out the heathen before thee —

And he said unto me, Son of man hast thou seen all of this? turn thee towards Albany and I will shew thee greater abominations than these. So the spirit lift me up and turned my face thither and beheld the Albanians, Schanectadyans, Rochsochkeans, with the Kinderhookites, Delawerickites, Saintpoickites, and sundry other tribes of the Yorkites, who knew not the L-d, had assembled themselves together in great numbers against the chosen people of the L-d — for a lying spirit had gone forth from New-York and had commandeered and inveigled the Yorkites, saying go up to Bennington, and smite it and ravage the holy mount. They likewise compelled many of the servants of the L-d who wished well to the mount Bennington to go with them. But the L-d discomfited the Yorkites at that time, putting his hook in their nose, and turning them back by the way that they came not suffering them to afflict his elect. And he said unto me, Son of man turn thy face yet again towards New-York and I will shew you greater abominations — So the spirit lift me up and brought me to the door of the Court House of New-York, which looketh towards the east and the said go in — so I went in and beheld subborned men stood before the

elders with censors in their hands, and a thick cloud of prey-ing went up while they falsely accused the people of the L—d the inhabitants of Benning-ton and the adjacent-country. Before George the L—d anointed his servant- Baker- shall not prosper neither shall it take effect- for the heart of my anointed is right before me saith the L—d and he shall administer justice to my people ~~saith the Lord~~ and defend my holy hill of Bennington from the ravages of the Yorkites.

And the hand of the L—d was upon me and brought me to the house of his servant- Baker. the adjacent, and beheld the house was polluted with blood, Baker sorely wounded and taken prisoner by the enemies of the L—d and his wife and children lamenting in their gore — not so much on account of their own wounds as the loss of a tender Father and Husband. and I was amazed and sore troubled and said L—d how is it that thou sufferest thy Chosen to be trodden down by the heathen who do not regard thy great name: and he said unto me son of man fear not for in the fulness of time, I will appear for my people and confound the Yorkites. And the L—d stirred up the spirit- of the valiant- Green Mountain Boys, and they pursued and took Barker — he also engaged the spirit- of his servants Sagacious and foresight; and wrought powerfully upon his old servant- substantial, and moved the hearts of the distressed people as the hearts of the trees are moved with the winds, and they discomfited the perfidious Yorkites that dwelt among them and they fled to New York with great wrath, hoping to excite the power of government to destroy the inheritance of the L—d and make Bennington an heaps of stones. But the Lord raised up his servant- Bryan to the head of government & he spake comfortably to the people of Bennington and the adjacent-Country. He also raised up men for his council that were wise and judicious & turned their hearts towards his people for good for my servant Bryan enjoys equitable and generous reflections & shall still continue to be a bless to any afflicted northern ones. Nor-heir- in chartering the ancient-town of Dunstable, and also by making same after charters as the New-Hampshire Grants he hath given great occasion to his Enemies to blaspheme. the charter also that- he hath given shall shortly die —

And the word of the Lord came yet again unto me saying. Son of man prophecy against the oppressive city and say unto it, behold I have given you a goodly prospect- situation near Hell-gate, and also a navigable river, and thou hast greatly extended thy trade & art- grown very rich wherefore thou con-

than the Lands and Labours of my servants in the South? Why will ye grieve the face of mine settled & distress the needy? Let your own portion suffice you, for if you again raise your pains and go forth to fight against Bennington the Green Mountain Boys will not be frightened and they shall ambush you saith the L-d. for they well understand the narrow passes of the mountains. and are lusty and strong, and are well skilled in the use of the bow and in very deed for this purpose have I raised them up, that they should defend my holy hill of Bennington ~~saith the~~ L-d. and the adjacent country from the oppression of the Yorkites. And the word of the L-d came again unto me saying, Speak unto the Yorkites and say unto them, why are ye so greedy after dominions, as to annex that part of the Bay Province west of Connecticut River to the province of New York and County of Albany? Know ye not that unbounded desires are ~~a mercy~~ sailing sources of unbounded troubles? for the Massachusetts inhabitants will not be imposed upon by your tricks, but they will make you tremble at their vengance. And the word of the L-d came yet again unto me saying. Son of man. Speak unto Duane & Kemp and their associates. and say unto them. you have been the principal cause of troubling my people and except ye do now speedily repent and turn from your hateful abominations and cease troubling my people and leave them to the quiet and peaceible possession of their inheritance; it shall happen unto you as it did unto Pharaoh King of Egypt; I will send my plagues upon you and on each of your houses and families, and ye shall be afflicted day and night; & languish and your lives by severe pangs of conscious guilt, and repeated disappointments, and die in excruciating pain and horrol, for I will never withdraw my hand till I have fully avenged the cause of my people. And Lastly the word of the Lord came unto me saying Son of man: prophecy against Munro and Willoughby and cry against them saying woe! woe! woe! unto them for thus saith the Lord because you have laid waste the house of my servant Baker, and polluted yourselves in Blood, as also in that of his innocent family of which their maimed limbs are a witness even to this day. and because ye mocked him saying Aha! at his groans, when in thy hands, and because ye have clapped your hands against my people in despite of them I will for these things stretch out my hands upon each of you, and your malicious accomplices, and ye shall become ~~subject~~ a spoil to your Enemies and

I will cut you off from among my people and cause you to perish from off that good land that I gave the New Hampshire settlers for an inheritance, so I will surely destroy thee that others may hear and fear and do no more so wickedly —

Turning

William Cockburn to James Duane

Albany 10th. Sept. 1771.

Sir

Your favor of the 6th August and the 60.£-2-9- of Mr Robt. Gates I rec'd on my return here, after being the second time stopped in Social borough by James Meeads & Abel Johnson in behalf of the settlers in Rutland and Pittsford. I have run out Colt from the Smith-bound to within about two miles of the Great falls. I found it in vain to persist any longer, as they were resolved at all events to stop us. There have been many threats pronounced against me. Pidcon Conley who lives by the Great-falls headed the party who was to shoot me (x x x x x) a fellow of no residence and one (x x x x x y) Simmons were the principal and your acquaintance. Farran allan, was in the woods with another party, blacked and dressed like Indians as I was informed Several of my men can prove Townshend & Train threatening my life - that I never should return home &c - though they denied every thing to me. The inhabitants denied they knowed any thing about those men, though the people of Durham advised me, those men pretended to murder us if we did not go from thence, and advised me by all means to desist running, though some said they were sorry for it, as it might hurt them all settling with the Proprietors easily after being stopped. I found I would not be allowed to go the northward as they suspected I would beg in again, and therefore intended to convey us to Danby and so on to the Southward, and by all accounts we should not have been very kindly treated. I was advised by no means to go that road. My Prov.n I was obliged to bring out by Major Skenis. On my assuring them I would survey no more in those parts, we were permitted to proceed along the Crown Point-road, with the hearty prayers of the women as we passed, never to return. We came off all safe, with the loss of one horse and two more in a poor condition. Spencers return I made out at Albany Court and sent to New-York. I then informed you of the manner and (x x x x) returns You know well Mr Colden will not allow me to make returns before they are lodged with him. I have not been able to fix Rices location & Danby people have been continually on the watch alway. Same I am told, as near their corner, since I have been here, several have visited us, asking questions no doubt to be able to know us should we venture within their territories,

* Torn out in the original MS.

and at the same time warning us of the dangers should we be found there. Marsh's Survey is likewise undone as I did not like to venture myself that way. I shall be able to inform you more particularly at meeting and am —

Sir —

your most obed^t^ servt

Will^m^ Cockburn —

Mr John Munro to James Duane. April 20th 1772.

Borlis in the County of Albany

Sir –

I dont intend to lose any opportunity to let you know that I am alive, but since my last to you and my other friends the rascally Yankees spoiled my best hat and my second coat with their pumkin sticks &c but luckily for poor me no man to take my part or assist otherwise I would have the two greatest villains in the country secure in goal. However I have done my best to get them there although it miscarried. But upon the whole my present situation is very disagreeable yet I rest satisfied that we have a Governor that will resent such lawless proceedings of the worst of men. it is dreadful to hear the sentiments of the wicked ones amongst them. they even go so far as to deny a devine Being and will not suffer a Bible in their house what can be expected from such men but to serve the Devil. I hope the Govt will not delay long in sending proper relief. for my part I should have sent my family off to Albany, but if they'll find that I shall give way in the least it is a gone case with me and my property. so I am fully determined to die in the ruins before I shall yield, and I am regularly attacked I shall sell my life as dear as I can. I have received a very bad wound but blessed be to God I am getting better. Extending the County of Albany to Connecticut River has alarmed the inhabitants subject to Boston Government and it to be feared that they will join the New-Hampshire Rioters. they have great many friends in the County of Albany and particularly in the City of Albany, which encourages them in their wickedness, at the same time holds offices under the Government, and pretends to be much against them but at heart I know them to be much otherwise, for the rioters themselves have often told me that be it known to me that they had more friends in Albany than I did which believe to be true. I hope you will prepare for Stedman Hunter I live as he no doubt he will setout from England this Spring. All my business is intirely neglected by reason of my troubles I am sure £600 will not make good that damage I have suffered by my opposition against them this twelve months however if all is over and that I live to see it I hope that the Govt will not see me suffer. I shall be glad to hear from you with all your news &c. I am dear Sir your sincere friend A. Jo. John Munro

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The Information of Benjamin Farner upon Oath.
Albany ss. Personally appeared before me Benjamin Farner of Powel, who being duly sworn saith that he was personally present at Bennington on the first day of January last where a number of men were under arms at the house of Seth Warner at Bennington aforesaid, when the said men honored the said Seth Warner as their Captain— Just as their Lt. Nathaniel Holmes as their Ensign by firing about his house &c. and drinking good succes to Gov. Wentworth and all his grants and damning the Yorkers.
The deponent heured often that they were enlisting of men and putting such recruits upon ~~them~~ oath to be true in maintaining the New Hampshire Grants. The deponent did hear the Bennington people say. let the Yorkers come as often as they may we are ready for them and further deponent saith not.

Benjamin Farner.

Sworn before me at Pittsfield the County of Albany this 20 day of Feb 1772.

John Munro — Justice —

Mr Robert Yates to Mr Kemp & James Duane

Albany. July 20th 1771

Gentlemen.

I returned this day from Bennington to which place I had been summoned as part of the posse to assist the Sheriff in taking possession of the house of James Breckenridge. As you'll doubtless be inquisitive to hear an account of this transaction, I have therefore taken my pen in order to gratify you in this particular. We set off from town last Thursday with the Sheriff attended by about 50 people out of the City, and were reinforced from different parts by about 60 more with this party we proceeded that day to one Cornelius Van Vessels at Tinkaick, and the next morning advanced to the house of Bakenbridge. As our advanced party came to the bridge within half a mile of this house they were stopped by six or seven men in arms who said they had orders so to do. However upon some discourse they suffered them to cross upon giving them their word that no more should pass before they returned. in this party was one Mayor & Abraham I Lansing who said they were come to speak to Bakenbridge whereupon one of their party conducted them towards the house near which they found him with a party consisting about thirty, he asked them whether they had any process against him, they declared that they had not, but that they came for the purpose of informing themselves why so many men were assembled at that time for the apparent design of opposing the Sheriff in the execution of his office. He gave them for answer that he had no farther concerns with the house and lands, but that the Township had resolved to take the same in their protection and that they intended to keep it. The mayor told them that this evasion would not answer, so as to exempt him from the ill consequences that might attend the opposition of the things with for that the possession was still in him, and that whatever blood might be spilled, in opposing the Sheriff in delivering the possession to the Plaintiff would be required from his hands - upon this he desired half an hours farther consideration - whereupon the Mayor desired the men who were with him to disperse or that he should be obliged to read the Riot act against them. this they complied with for the present but some joined their brethren again. In the meanwhile the body of the posse came up. and being informed of the arguments the mayor had used remained at the bridge - when he returned and informed

The Sheriff on the above particulars, we waited the half hour, at the expiration whereof we received an account from the Yankies that they would not give up the possession but would keep it all events. Upon this the Sheriff gave orders for the posse to march up to the house. This some flatly refused and others by their conduct plainly denoted that they very reluctantly complied and that perhaps not without reason, for we had by that time discovered that the Yankies had made all the necessary preparations to give us the warmest reception, in having about fifty of the most resolute fellows in the house, the doors whereof were strongly barricaded, and every rising ground within command of the house was lined with about three or four hundred men well armed. When the people were in a defenceless condition, being no otherwise equipped than with clubs, swords and some few pistols - not being even apprehensive that any mischief would ensue and finding that a greater part of the people did advance though slowly, I took a friend with me and went to the house, to the South whereof along a rising ground I perceived a number of Yankies posted - and nearing the same two or three came up to us and enquired our business - I informed them that I there attended as part of the posse in order to assist the Sheriff in taking possession of that house, and at the same time required of them the reason of their appearing in that manner. They informed me that they had from their agent in England lately received the strongest assurance that their differences would soon be determined in their favour & that they had advice from in the meanwhile to enter their possession until such decision that their conscientious advice will resolved to keep the possession - that they conceived that they were very ill used in the trials for those lands by reason that those proofs they offered were rejected by the Court. When asked their reason for acknowledged at present the New-York Jurisdiction they did - whether they acknowledged themselves loyal subjects to his present Majesty? This they also readily acknowledged - whether it did not flow as a necessary consequence from these principles that they should peacably acquiesce in the determination of the Court instituted by his Majesty for the distribution of justice? To this they gave an evasive answer by observing that they had their grants from New-Hampshire and that any controversy about the validity of those grants could only be determined by his Majesty. I observed to them the extreme absurdity

of such an expectation, for that I acknowledged it was in his Majestys power to alter, establish, or change, the jurisdiction as often as he pleased but that the right of soil when once his Majesty had invested himself from the same and any dispute should arise between subject & subject about that right it could only be determined by the Courts of Justice where such controversies did arise.

In addition whereto I observed to them whether they had considered of the consequences attending their present design of oppressing the regular execution of the Laws, and advised them as friends to disperse. This they flatly refused, and by that time they perceiving that the Sheriff came up, desired me to be gone. When the Sheriff and some few of the posse came to the house. he knocked at the door and desired admittance, they told him that they would not. I then in behalf of the Sheriff resumed the discourse, informed them of the Sheriffs particular business, and that they might not pretend ignorance I read the writ, and made use of such arguments to those in the house as I conceived would leave them without excuse for their further opposition - but all in vain - The Sheriff then offered to break open the door but as soon as those in the field saw his intention they presented their pieces towards him. whereupon considering the little probability of succeeding and the eminent danger attending it. I by the advice of his friends desisted.

Upon this occasion we had of the fraternity - Mr Silvester Bleeker Christopher Gates & Myself to attend the Sheriff.

I am Gentlemen

with respect

Your most humble servant

Robt Gates.

I enclose you a copy of the served on Mr Robinson. You'll observe that the notice requires the appearance in the King Bench in New York - I omit hint this to you that if you conceive it wrong that you may suppress it and serve another

238:13

Deposition of Charles Burton — 21 Nov. 1773

County of Cumberland ss. Charles Burton of a place called Durham on the bank of the Otter Creek on the west side of the Green Mountains in the County of Charlotte and Province of New-York of full age being duly sworn on the holy evangelists of almighty God, deposeth and saith that the Deponent with others to the number of thirty five families seated themselves upon the said Tract and holed a kettle derived from the province of New-York. that the Deponent has lived with his family upon the same Tract since the eighth day of February, one thousand seven hundred & sixty eight. has cleared and improved a large farm, built a good dwelling house with other out houses, and was lately offered a thousand pounds current money of New-York for his improvements. that about eleven o'clock at night; on Saturday the 20th instant as the deponent is informed and verily believes Remember Baker, Eathan Allen, Robert Cochrane and a number of other persons armed with guns cutlasses &c came to the house of Benj. Spencer Esqr of said Durham who holds his farm under the title of the government of New-York, and broke open the said house, took the s. Spencer and carried him about two miles to the house of Thomas Green of Kelso, and there kept him in custody until Monday morning — The heads of the said rioters then asked the said Spencer whether he would chuse to be tried at the house of Joseph Smith in said Durham, or at his the said Spencer's own door, to which Spencer replied, that he was guilty of no crime, but if he must be tried, he would chose to have his trial at his own door, the Rioters thereupon carried said Spencer to his own door and proceeded to his trial before Seth Warner of Bennington the s. Remember Baker, Eathan Allen, & Robert Cochrane, who sat as judges. that said Waters Charged the said Spencer with being a great friend to the government of New-York, and had acted as a magistrate of the County of ~~New-York~~ Charlotte of which respective charges this said Judges found him guilty and passed sentence that the the said Spencers house should be burned to the ground, and that he should declare that he would act for the future act as a justice of the peace for the said County of Charlotte. Spencer thereupon urged that his wife and children would be ruined and his store of dry goods and all his property wholly destroyed if his house was burned. Warner then declared Spencers house should not be wholly destroyed, that only the

roof should be taken off and put on again provided Spencer would declare that it was put on under the New Hampshire title and purchase a right under a Charter from the last mentioned Government. These several conditions Spencer was obliged to comply with upon which the Rioters dismissed him. That a party of the said Rioters came to the deponents house on the night of Saturday the twentieth instant the deponent is informed and broken open his doors and sacked the house for the deponent which they did not find, as he was gone to Crown Point to take Stephen Weakly upon writs issued against him at the suit of Samuel Breese and one Sprague. That upon the deponents return home with the said Weakly in custody another party of the said Rioters took the deponent and obliged him to discharge the said Weakly and one Smith and others of the said Rioters that night declared they would pull down Greens house and give him the Buck seal (meaning that they would flog him unless he consented thereto) which he accordingly did. They then obliged this deponent to give the said Weakly six shillings current money of New-York for taking him the said Weakly into custody, and declaring for the debts due from him the so Weakly to the s^d Green and Sprague as aforesaid, and afterwards made this deponent promise that he would never serve as an officer of Justice or Constable to execute any precept under the Province of New-York and then gave him a certificate in the words and figures following (to wit)

"Pittsford Nov. 24th 1773"

"These are to satisfy all the Green Mountain Boys that Charles "Button has had his Trial at Stephen Moores and this is his discharge "from us"

"Peleg Sunderling"
"Benj^a. Easley"

Which Certificate they declared would be a sufficient permit or pass among the New-Hampshire Claimants or Green Mountain Boys and further the Deponent saith not

Charles Button

Sworn before me this 30th march 1773

Nath^l Stone

From Benjamin Spencer to Goldsbro Banyar and James Duane—
Durham December ye. 12th. A.D. 1773—

Gentlemen—

The Mobb yet prevails in violence Mr Hoogh who is our Leader in Church affairs can give a particular accompt in the manner and is a person may be depended on for information. you will excuse haste—

I am your Assured friend &c—
Benja. Spencer

To Goldsbro Banyan Esqr.
and James Duane Esqr.

238:5

John Munro to James Duane

Fortis in the County of Albany Feb. 29. 1772.

Sir,

I received your favor by Levy Preston, and have noted the contents thereof. As for the situation of the new County of it will answer very well, but I am of opinion that it should have a due East line from the south west corner of Prince Town: (where is your County town to be).

I am very glad to hear that the Governors Hutchinson & Wentworth have proved so generous to this Govt. I can tell you that if Governor Tryon could prevail upon Gov: Wentworth to issue his Proclamation disclaiming all connection with those people &c. nothing would be more effectual to convince the ignorant part of this community: for the whole of their dependance is upon Gov. Wentworth. Mr Samuel Robeson has just returned from Portsmouth, and assures the inhabitants that Gov. Wentworth never wrote the letter mentioned in this proclamation. The inhabitants of Province Town, at their town meeting appointed a man to go to Portsmouth and Boston to know the truth of it — but Mr Robinson have prevented the trouble and expense by assuring them that the same was false, which have enraged the desperadoes worse than ever. if Gov. Hutchinson will issue his Proclamation declaring his displeasure at their making free with his name and that they need not expect any aid or relief from him at the same time threatening such persons as will come out of this Govt. &c I am confident it will be attended with good success and save this Govt. a great deal of trouble. One thing very essential was forgot in the Proclamation, and would have appeared much in favor to the Govt. that is Lieut. Gov. Colden's Proclamation in the year 1765 (if I remember well) wherein all the N. Hampshire claimants were called upon to take Grants for their Lands.

I hope if necessary that you will appear at the Council in my behalf and be so good as to mention the same to his Excellency the Governor. Gov forgot to mention any thing relative to Houmains affair. I shall be glad to hear from you by all opportunity. if you think that the inclosed information contains any thing essential be pleased to deliver it to the Governor. My kind respects to Mrs Kempe &c

P.S. I am now able to ride about and the swelling on my knee has abated much. I am sorry to hear that the Gov. was indispased but hope the warm weather will revive him.

and I am Sir Your very Hum. Servt.
to Comm. John Munro

William Bullock to James Duane

Guilford March 29th 1772.

Sir

I would return you my hearty thanks for your advice to me with respect to our Land in Guilford, and will inform you what part of those persons that I entered in my list as non-purchasers have bargained for Land as followeth (viz) Bennoni Smith has bought fifty acres. Benjamin Preston 50 acres. Barnabus Bussell 50 acres. Thomas Whiting 50 acres. John Camp Jr. 50 acres. Daniel Ayers. 50 acres, James Dennes 30 acres. Wash Weld. 10. acres. The bargains were unbeknown to me when I was in York, but by enquiry since I returned I have found it to be so But the others I am satisfied have not purchased nor bargained for the lots they live on but depence wholly on the goodness of the Governor & Council for a title to their possessions on which they have spent their strength & substance & if they should be dispossessed they must surely take some lawful way for a living or suffer exceedingly both themselves and families for want of food. Those persons are all residing in the town except two. (viz) Josiah Broad & John Bishop. They have both built good houses and cleared a considerable quantity of land. Said Bishop ten acres or more, who went to visit his friends and was taken sick but intends to return on to his farm when he recovers. Said Broad is only gone visiting he & his wife and is now about to return to his farm. The occasion of my writing about these two men is because I perceive the other party are about to make a handle of their absence who imagine that because they are not now on the spot imagine they ought to be deemed as non residents. Sir, as you have undertaken the affair I would be glad you would use your whole influence, so if possible to recover to every person residing in this place his possession. As for your trouble the people depend upon paying to your content besides a handsome Reward, if you should obtain said lands. I should be exceeding glad you would write the first opportunity and give me to understand how the matter is like to terminate & if you need my Power I will send it down the first opportunity

From your humble friend & servant

William Bullock

N.B. If you think it worth while to alter the petition as the account of my entering too many non purchasers. I should be glad you would, but shall leave it wholly to your discretion

238:17
75

Notes for Benjamin Hough's Deposition - January 1775:

Benjamin Hough of Socialborough in Charlotte County deposeth and saith that for about eighteen months last past he hath resided in the said Socialborough, and did agree for both Hampshire and Post Lotts to all his claims of land in those parts, and that for about ten months last past many cruel acts of outrage and oppression have been committed in those parts - on which account the Deponent did in the month of February last past present an address to his Excellency the Gov. and Council and to the General Assembly for relief together with a number of affidavits proving facts after which there was a Riot Bill past and Proclamations offering certain rewards for apprehending some of the heads of the Rioters. The deponent further saith he returned home on about the first day of April last past having received a commission of the Peace and inasmuch threatened that he should lose his life for what he had done and many other threats further the deponent saith that he took much pains to publish the Riot and sending them amongst the Rioters which he said expected would have the desired effect to still them & prevent further riots.

Further the deponent saith that he acted in his offices as he was required not meddling with land matters, nor riots but striving for peace and good order as far as was in his power, but did hear often from some of the Rioters that his person and property was threatened with destruction and some of his family as well as the deponent did see and hear persons round his house in the dead of night jamming the door &c &c.

And further the deponent saith that in the month of July last past in the 27th day of said month one John Smith and Enos Boase of Socialborough in said County of Charlotte did assault the deponent with clubs in their hands, and require him to go with them, swearing on his resistance they would kill him. The deponent had no weapon with him for his defence with him except a small knife but called to his wife and Children for some weapon in order to frighten them and the said Enos Boase ran and shove into the deponents house in which time the deponent knocked him down the said John Smith and fled to a place very near where he got a stone and the said Boase came on with the deponents gun swearing he would shoot the deponent through but the gun was not loaded. The deponent told them he would not be taken by them alive with which they soon fled

swearing they would have the Deponent dead or alive - they gave for the reason of their spite against the deponent that he had complained to Genl of the Militia - and had granted some Summons against some of their friends of the mob. for their upbraiding that Esqr Spencer should not act as Magistrate nor any other person over them with many other insulting words and further the deponent saith that on the first day of August instant he was assaulted by one Dan Hinkle at the dwelling house of one Daniel Walker as by his deposition will appear and the deponent really believeth that there is no safety for any friend to Government to reside in that part of the Country which is overrunned with mobbed persons and the deponent is fled to save his life which he really believes is in danger and further he saith not -

his
Benjamin Hough.

John Munro to (James Duane).

Springfield 24th Dec. 1786

Dear Sir —

You will no doubt be surprised to receive a letter from an old friend from Fence. I went from Canada to London upwards of two years ago, in hopes of obtaining some compensation from Govt. for my services and losses. Unfortunately for me as well as many others no Commissioners were then appointed for examining the claims of the loyalists in America otherwise I would saved all the time and expence have been at and endeavor to provide something for my unfortunate family consisting of a wife and eight Children left in a ruined House, my own expence & the maintanace of my family will exceed all that I can get agreable to the rule the Commissioners have adopted and must now return penniless without money, prieds or interest. I had my hearing before the Commissioners the 22nd of Oct. 85. but was not able to return to Canada till I received part of my of my compensation which detained me till the Commissioners made their report in Sept last. I went through my examination with much satisfaction, and the Commissioners seemed well satisfied but when they made their report to the Lords of his Majesty Treasury. I was thunder struck & confounded to find that my first dividend was no more than £ 276 Sterling, and seeing several of my acquaintances who had only ruined farms, reported from £ 500 to a thousand Pounds Sterling. This occasioned my waiting upon the Commissioners to know the cause of such a deduction when I received for answer that they could not satisfy my request. This disappointment induced me to write them more fully — So much I see the following answer from the Secretary. Viz — "Your letter of —— date I have laid "before the Commissioners, which they have duly considered and I "have pleasure in Signing their order to acquaint you that no gentleman "whose claim has been examined before them has appeared more meri "torious than yours nor as to your property the Commissioners "cannot admit of any fresh evidence in a case which has already been "reported upon to the Lords of his Majesty's Treasury." In my letter to the Commissioners I gave them to understand that if the deduction was owing to the want of sufficient evidence there were several gentlemen who were not in England when I had my hearing, and who was well

acquainted with properly in the same thereof — Finding myself in this unhappy situation I consulted with all my friends, who was much hurt and surprised at the commissioners decision, at least: we discovered that the deduction was owing to the New-Hampshire claims covering the most part of my property. Although the whole lay within twenty miles of Housatonic River, yet as no confiscation had taken place against me in Vermont the commissioners decision must be entirely grounded upon the expectation of the Ministry has of the Vermonters restoring the property of the Loyalist within their State, however pleasurable this ingenuity may appear to the Ministry we know that the Vermonters never will agree to give up a single acre of those lands. However the Commissioners decision upon my claim appears to my friends in a very extraordinary light, considering my character and conduct for upwards of thirty years in America, that all my friends should be swallowed up in the controversy and totally beggared after the prospect I had of making a permanent provision for my poor family you know Sir how much I have suffered before the unhappy dissension in support of civil Law and when I was called upon to support the British cause I did not conceal my sentiments from the opposite party, but openly avowed my principles like an honest man I risked all and lost all. Yet I have reason to think that I have still private enemies who have represented my property to be of little or no value. Under these difficulties situated as I am, all I can do is to crave the interposition of my dear friends that they will be so good as to take an opportunity of representing my character and conduct to Mr Austey upon whose report much depends in correcting many errors. I understand that he is summoning persons to appear on certain days to prove the value of their properties. You know Sir that I cannot appear in the State therefore it is impossible for me to comply. I am informed Mr Austey has been in Bennington. I know if he made any inquiry about my character and property there, but he rec'd every disadvantage report from my implacable enemies. Therefore I shall endeavor to collect all the proofs I can before the Commissioners in England and as much more as I can and transmit the same to you (as I well know the goodness of your heart to serve an old friend who is as ready as ever to serve him if occasion requires) that through your kind interposition Mr Austey may have proper information, in order that some justice may be done me in England when he writes his report to Lord not as if the report came from me — I hope you will be so obliging as to fur

out if Mr Austy has not made his report upon my claim already, if not that he may refer it till you shall be able to satisfy him upon that head.

This will be delivered to you by Mr Kelly who knows part of my property and will give every assistance in his power and has promised to write me to Canada your answer and opinion upon the subject I took my passage in a ship bound for Quebec, but after being 14 weeks at sea we were obliged to put back to Halifax, where I left the Ship and took my passage for Boston where I arrived safe last week out of 25 sail from Nova Scotia I only got in safe, and am now so far on my way to join my distressed family in Canada I left all your friends in England well — Mr Kemp and family. Gen. Reid, Col. Small &c &c &c.

Mr Kemp did not get his hearing when I left England. Mr Smith is gone to Canada, Chief Justice of that Province. No doubt you have heard of Lord ——— coming out vested with great powers he is to visit his territories in Nova Scotia next Spring. Mr Smith I believe will accompany him on this voyage. If you wish to be concerned in very fine location. I shall inform you that beginning about 3 miles above the Indian Village of St Regis on the South side of the River St Lawrence extending up said river to Oswegatchie is a very fine country. The Loyalist are settled on the North side, and in a few years will be the best settlement in Canada. The Lands is better and the people more industrious.

Should you want any further information about this or any other part of the country I shall take pleasure in serving you.

I remain.

Dear Sir

with the greatest esteem

Your much obliged,

and very obedient Servant

John Maurice

Jos. Blanchard to James Duane.

Albany Nov. 20th. 1784.

Sir

I have formed a tract of land for the College and one that is too good to be unimproved which I fear will be the case if a grant should be made as the Govr will be bound in the terms of settlement. It lyes on a fine river and out of the New-Hampshire and Canada claims I saw Mr Metcalf who has got a good tract of land and it must soon be very valuable if he is not interrupted by the French claim.

The Yankees are making improvements on Onion River in a Township called Deerfield and swear vengance against all Papists though they have no opposition. Cockburn was drove from that place last summer and Stevans this Fall.

I send a Sadale of venison which beg your acceptance

It is not so good as I could wish but the best I could get. I shall soon be down and then you shall have the necessary information from your most obt and very hble servt

Jos. Blanchard

James Duane Esqr

Jersey ss } Personally appeared before me William
Stevens of lawful age and made solemn oath
and saith that Hezekiah Matteson and John
Warner was in the night Mob (that came in
the night time) to the Deponents house and
was concerned in pulling it down and destroying
the same and further saith not.

William Stephens

Sworn before me at Goulds
this 4th of June A° 1772

John Munro
Justice

Benjamin Spencer to James Lamson

Durham Nov. 22nd 1772.

Sir —

The Committee have got to such a height both in Social-borough and from Bennington to Manchester that I cannot travel from to do my lawful business, indeed I cannot with safety travel two miles from home. I am threatened daily with having my house burnt over my head, and the rest of the inhabitants driven out of their possessions in Durham, if we are not relieved by Law. I know not what will at last must be, the Hampshire people swear that no man shall stay on those disputed territories that favor the Gov't in any shape whatever. The people of Social-borough prevent any settlement at present swearing they will shoot the first man. That attempts to settle under a title derived from New-York, although there is many desirous of purchasing. There are four men in Socialborough that settled under the New-Hampshire title that would willingly purchase but dare not for fear of endangering their lives. I am in great haste, and should be glad to hear from you about our new affair.

I am your most Ob. Serv't.

Benjamin Spencer —

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Philip Embury to James Duane

New York June the 18th 1772.

Honoured Sir—

I am sorry you left it in our power to make the Complaint of our being disappointed in the getting our Leases, as we entirely depended on your promise to Peter Sparling it have the Leases all ready at our coming to York. This is a great hardship to us indeed as some came here without any other business, and I fear will be a great hindrance of some saving their provision this year. which I believe you'd be sorry for. I hope therefore you'll be so good as to let us have them soon as possible—

I humbly thank you for your care to get me the Commission for the roads in the County of Ulster, beg that you'll further be pleased to get the Commission of a Justice of the Peace renewed to me for said County, as I understand that I can't act without it by Mr Banyard, the promised he would help me to it if you did assist him and put him in mind thereof, and if it were possible to get me the liberty to act in Albany County also, as my Real Estate lies therein, and as there is no other Justice of the Peace where near me it would be of great service to me—

I add no more upon any of these points as I can entirely confide in you, that if any thing should come in your way that you'd be of service to me that you'll remember me therein and so subscribe myself your most affectionately and very humble servant at command—

Phil Embury

From Thomas Rowlee - to James Duane.

Danby alias Chesterfield Sept. 2. 1772.

Hon.d Sir -

After begging leave to present my humble compliments to yourself these are to inform that my leaving my Letter of Attorney and Petition with you has caused me very great trouble. Some of our people for design and some through ignorance have imagined many numbrages and pretened to fear that something (they know not what) is done or may be done that shall be injurious to their liberty and property some of them entirely refuse to pay one copper towards the cost and charges I have been at in getting their Lands secured to them until I can produce the papers I left with you and very unjust complaints hath been made against me and I have been exposed to the arbitrary Mob of a patent. Sir, my pen is under restrictions and I am forbid writing any thing to New York by the itinerant Rovlers of the northern District but if these lines should have the fortune to reach your hand, pray Sir be so kind as to send them papers to me by Esqr. Spencer. in so doing you will greatly oblige Sir your most obelt humble Servant-

Thomas Rowlee

John Munro to James Crane

Montes. 12. Jan. 772.

Dear Sir

Strange that I cannot hear from you notwithstanding my writing so often – no my luck always to be in the field of Battle. I have hardly time to eat drink or sleep but writing warrants and examining Money matters. I have sent several to goal and bailed others. I have found out many concerned in the scheme amongst whom my good friend Mr Remember Barker is one, it makes grow fat to see a thief catch a thief and see my living subjects condemn each other. Mr Sylis Robison is in goal, he was catched at Shuffield and I believe guilty enough I can tell you: that a number of Section Justices will recommend him to the judges for a King's evidence at the earnest desire of his friends, but I believe his evidence upon the Cross Sticks will do us evil: This day I have sent one Carpenter from Kirkby and one Scales from Prince Town to goal and the Constables is out after the Mob &c. Barker and his company is at Union River. Strange that they let him go clear at Brown Point when taken for passing bad money. They are settling the land all over in full confidence that they will hold it forever: do you think that a King will pardon the money makers. I hope Mr Kempe is well and that I shall soon see you and him at our friends Grays that I may get that twenty Pounds for your money is very plenty at present. but all counterfeit; get it carefully done that the poor Country people is very much imposed upon. I beg leave the favour of hearing from you, and what shall I do with the mad affair –

I am Sir.

your Most Obed.t

John Munro

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James Walworth to James Duane

Albany Septr 1st aug. 18th 1772.

Sir

I take this Opertunity to Inform your Honour that the moving affair goes on very brisk again. I think it will be worse times Sir the Country where I live. In a verey short time than Ever has been. Except the authority of this Government Doe something to effect the Cause the Bennington Company boldly says that the Governor is Pritty well beate and he has gave them all their land and so they are Determined to hold it by force the Hampshere Grants, Mr Deane, Brekenham, William Henry made demand of my Possession bie the Vartue of the Governors letter which the Foes obtained. I refused delivering up my Improvement I think I have as good ar rite to enjoy my Possessions In Peace by vartue of the Governors Letter as any Parson in this Country. Last week a Part of the mob came forsably and took all my moving Pieces from me when I found them at work on the Hay. I took two men for evidences. I went to them and demanded the reasons why they Proceeded in that manner and form as to come forsably into my field and take away my grass by force answer we are hired men and Sat to work here by Ethnathan Hubbel they also Said that I never Should Injoy that land in Peace for it was land granted by Hampshear and other men owned it. Mr Jains Braking and Several others bonaficely declard that Esqr Golesbrow Banyard when the New Foes of Bennington was at New-York he disavowed any connection with me In selling or baryaining, or giving me any incouragement that I should have that land where I liv on Lot No 7 with Mr Hazard Wileop. But I Intirely disbelieve their assertions In this affair =

I have some reasons to believe that the Foes has ben doing something In behalf Esqr Banyard in order to Disappoint me if Passable In Purchasing the Lot — Sir I beg you would Inquire of Esqr Banyard and writ a line to me so that I may be able to stand In my own defence In a just cause — In so doing you will oblige your

Humble Servant John Walworth

P.S. There has been several men very much abused by the mob Lately and others threted — they thretten Esqr Manron and Mr Willebe very hard

John Munro to James Duane—

Foelis in the County of Albany
augt 17th 1772.

Dear Sir—

While there is life there is hope so with me: although my case is hard being obliged to stand every night upon guard. the indulgence of Govenor and Govt to the Rioters in this County have so universally raised their spirits to such height that nothing less than bleading will cure them. they will pay no regard to the terms of capitulation. the other day they made Willocks and another man in Shaftsbury run for it and I expect them every night. I hope the proprietors will not be satisfied to see themselves injured in this manner and see their property fall a sacrifice to the popularity of individuals. I can assure you it is the greatest shock that publick interest ever have suffered in this Govt. the very tenants which I have settled upon my land. bid me defiance and say its Kings lands and therefore they shall hold it if they shall pay his quitrents. I long to hear from you, for if matters are suffered to go on this way I must be inevitably ruined and my substance scattered abroad and dare not look after it— I hope you will be ready for Stedman.

I am in heart

Dear Sir—

your obt Sert

John Munro.

Since my writing the foregoing part of my letter Mr Willocks waited upon me with Mr Barkers letter and a Connecticut newspaper all which, I send to you for your perusal with my letter to the Govenor which please to seal up and send by some private person, and be kind enough to find from Mr Banyan what answer I may expect or if any. my kind respects to Mr Kemp, give me your advice concerning Mr Baker's very extraordinary demands.

from dear Sir—

Your distressed well wisher—

John Munro.

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John Munro to James Duane.

Schenectady July 15th 1779.

Dear Sir.

I am just returned from my plantation where I have found things much better than I expected, yet it looks very dismal and many things gone: Some persons unknown got into the house. Col. Willocksby &c have got home but are obliged to be upon their guard as much as ever. The mob goes past and repass full armed & laugh to scorn. I am informed that they are in general well pleased with the Government for the terms offered. Yesterday the great & general meeting was to be held at Landlord Fays, when the papers were to be read in public, and the great guns to be fired off denoting their great victory over government. I can also inform you so much of the Riot Resolution, in case his Majesty's determination will not be entirely in their favor. (Viz) It is said that the Governor & Council has promised that in case the King and Council will not give the land in their favor they shall make a point of the Proprietors selling the Lands for 4/ pr acre, and if they will not give the land for that they shall be at the sword again. my dear Sir I can assure you that my own situation is very dangerous for I durst not say that my soul is my own and indeed I dont expect nothing else than to fall a sacrifice to their malice. it is with the greatest difficulty I can prevail upon my family to go up.

I am afraid they will find poor Cockburn, for the great Capts. Cochran and Warner, is in pursuit of him — he was gone from Otter Creek before they came there to Onion River and they are still after him — His Excellency's came to ~~Town~~ Albany yesterday. I intend to wait upon him for his advice and if I must rest satisfied with the insults and damages which I have received. I beg you will be pleased to prepare the Bill for Steamans arrival —

Please give my kind respects to Mr Bangor and beg he will be so kind as help one to small vacancy between Hoosack & Pittstown — I hope he will be my friend — if Mr Kempe Mr Bangor and you will forsake me — I shall be entirely out of favor with all, and I do not know for what —

5/6 Our friend Mr Allen is to write a

Letter of Thanks to the Governor for his kinel offers. I shall beg the favor of a Letter from you with the particulars when the determination of the King and Council comes. I do not know what great complaints they carried down but what is your opinion of Mr Justis Morrison who went about with part of the mob threatening to send some of my neighbors to goal unless they would swear in favor of Rioters (is it right or not) they make it out amongst the Yankees that I swore that five hundred balls was shot through one door with many such extravagant sayings - and that the governor put me in goal for three weeks in New York for false swearing &c they are so full of the Devil as they can be. as for you x x x x x x x x x * the Governor has abused you to all intents and purposes all this I think came through the information of a certain gentleman that was in New-York soon after we came down.

I am.

Sir.

your very obt. Servt.

John Munro.

* torn out in the Mss.

John Munro to James Duane.

Fowlis in the County of Albany 1772 Aug.

Dear Sir.

I hope this will find you and my other friends well. it is now thirteen days since I returned here with my family where I have found my property in agrievous situation and no likelihood of being better, for no man or woman dareat come within my house for fear of the mob. Williscky have agreed with them and they sent him to me four days ago with a message desiring that I shall give satisfaction to Backer &c &c. I assured them for peace sake that if they would admit of making satisfaction for the damages which I suffered I should leave all to indifferent men. So he assured me that they would admit of no such thing. and added that my dangers was greater than ever which I believed to be true. Major Shean is disaffected with Government and is their Chief Councillor. Capt. Harley waited upon the Governor last week praying that all the patents issued by this Government might be broke to pieces as they term it, that they are collecting money in order to send an agent home to the King to have all broke, for my part I think myself highly injured by Govt. first issue their Proclamation commanding all Justices to be vigilant in their duty and attentive to the public peace. all this I have done, and am I to suffer death and destruction for so doing. I pray for your council with my other friends, what to do I know not. I send this by John Walworth to Albany who came to me last night with a complaint against the Bennington people who have carried away all his hay and ordered him to give up his possession. I have sent him to the Govt with his complaint. I understood that the Gays are gone down to the Govt last Friday but upon what business I know not. I presume Steedman is ~~not~~ arrived before this time and that the neccessary is done and I am Dear Sir in heart your distressed well wisher while

John Munro.

A Brief Account of the Proceedings of the Government of New-York relating to their obtaining the Jurisdiction of that Large District of Land to the Westward from Connecticut River which antecedent thereto had been patented by his Majestys Governor & Council of the Government of New-Hampshire. And also, of the monopolizing Conduct of the Government of New-York, in their subsequently patenting Part of the same Lands and oppressing the Grantees and Settlers under New-Hamp. Together with Arguments demonstrating that the property of those Lands was conveyed from the Crown to the New-Hampshire Grantees by virtue of their respective Charters, with remarks on a pamphlet entitled "A State of the Rights of the Colony of New-York" &c &c. and on the Narrative of the Proceedings, subsequent to the proceedings Royal Adjudication, concerning the Lands to the Westward of Connecticut River, Lately exhibited by New-Hampshire. Intended as an appendage to the General Assembly's State of the Rights of the Colony of New-York (with respect to its Eastern Boundary on Connecticut River so far as concerns the late Encroachments under the Government of New-Hampshire) published at their Session. 1773.

By Ethan Allen.

Bennington 23d September 1774.

A NARRATIVE &c. &c.

Lieutenant-Governor Colden, represented to His Majesty and Privy Council that it would be greatly to the Advantage of the Inhabitants of the District of Land westward of Connecticut River which had been granted by the Government of New-Hampshire to be under the Jurisdiction of the Province of New-York and that Connecticut River was a good and certain boundary line to divide the Respective Provinces and furthermore that Hendsons River was navigable a great Way into the Country, and that the situation of the New-Hampshire Grants was such as would naturally constitute that River the Centre of Trade and Commerce for the Inhabitants of those Grants; by the Navigation of which they could easily send Exports to the City of New-York and receive and return such Articles as they needed: And that it would therefore be much more convenient and happy for them to be under the Jurisdiction of New-York &c. With Respect to the South west Part of the District of Land aforesaid it must be confessed that Hendsons River must "constitute the Centre of Trade" &c to the Inhabitants thereof. But three Quarters or more of that District of Disputed Lands, from the Contiguousness there to Lake Champlain and Remote situation from Hendsons River, equally constitute Lake Champlain, Montreal, &c the Centre of Trade for its Inhabitants— Furthermore it is no way incompatible, provided the Inhabitants of the Southwest Quarter of the District aforesaid should Trade at New-York, although they may be supposed to be under the Jurisdiction of New-Hampshire, The following Exhibitions will undoubtedly convince the impartial reader that the said Inhabitants would be under vastly greater Advantage, to trade at New-York or any where, on proviso they should be re-annexed to the Government of New-Hampshire, for then they would peaceably enjoy the Rights of Soil of Lands they possess which under the Jurisdiction of New-York they cannot possess. A number of Families that have spent their Substance in Purchasing Lands of the Government of New-Hampshire and in removing from a great Distance to the Premises and in making improvements thereon, provided they should be disinherited, would make a very indifferent figure trading at New-York— His Majesty ever graciously disposed to promote the Interest and Good of his Subjects in viewing the Establishment of the Jurisdictional Line between the Respective Governments as not interfering with the private property of his Subjects and in this View of the Case perceiving a manifest Convenience at least for a part of that District to be annexed to the Province of New-York

and the Government of New-Hampshire not being notified of Tryal which supposed to be owing to the neglect of their Agents by which Means his Majesty and Council could have no Information but from the Representations from New-York; came to a Determination of the Jurisdictional line Ex parte, which is probably the Cause why it extended so far East as the west Banks of Connecticut River. This Event proved exceeding unfortunate to the New-Hampshire Settlers. From which they may compute the Date of their oppression from the Government of New-York: this put it in the Power of that crafty, designing, & monopolizing Government to exercise that usurpation towards the Inhabitants aforesaid exhibited in the following Sheets. No sooner had New-York obtained the Jurisdiction, than Governor Colden began to patent to certain celebrated Attornies and principal Gentlemen in the Province the very Lands on which the New-Hampshire Settlers dwelt; and it is a more inexcusable and complicated Wickedness in Gov. Colden; inasmuch as but a little before he perswaded graciously disposed his Majesty into an opinion that it would be for the advantage and Happiness of the settlers aforesaid to be under the Jurisdiction of New-York. A complaint of the Conduct of the Government of New-York relative to their laying Patents upon Patents, as aforesaid being laid before his Majesty who with the advice of his Privy Council was graciously pleased to prohibit the Government ~~from~~ of New-York from ~~prohibiting~~ Patenting any of the said District of Land patented by the Governor of New-Hampshire as aforesaid, on Pain of his Majesty's highest Displeasure.

Notwithstanding the same Lieutenant-Governor Colden Governor Dunmore, and Governor Tryon, have each and every of them in their respective Turns in the Administration presumed to violate the said Royal Command by Patenting to certain of their own Favorites and Gentlemen of Influence sundry valuable tracts of Land contained in and belonging to the prohibited Premises the most of which Land ~~contained in, and belonging~~ being at the Time of patenting in actual possession and Occupancy by People claiming the same Lands by Virtue of Prior Patents from the Governor of New-Hampshire.

Next in the course of this narrative it is necessary to take a retrospective View to July Term in the Year 1769 at which the Claimants under New-York being Non-Residents brought Actions of Ejectment in the Supreme Court against sundry of the Claimants under New-Hampshire who were in actual possession of the contested Premises but part if not all of the Judges and Attornies being interested in the said subsequent Patents from the Government of New-York and some of the Principal Attornies Patentees of the identical Patents then on Tryal. And the Plaintiffs appearing in great Fashion & State which together with their

Fraternity of Land Monopolizers, made a Briliant Appearance. But the Defendants appearing in but ordinary Fashion, having been greatly fatigued by hard Labor, wrought on the disputed Premises, made a very disproportionable figure at Court; and in fine, Interest; Connection, and Brandeur easily turned the Case against the forlorn Defendants: The whole District of Inhabitants were greatly alarmed at the Event that had begun to take Place, were in great consternation each Individual reading his own intolerable Distruction from that which had already began —

Still there was more Actions of Ejectment commenced against sundary of the Inhabitants, and the Sheriff of Albany County by special order from the Governor was raising the Militia of the County to dispossess the Defendants aforesaid of their Tenements. This was a most melancholy Scene. Women lamenting over their Children, and they crying; and Men pierced to the Heart with the most pungent Grief and Affliction for them and bitter Indignation at the approaching Tyranny of New-York. And what renders the Reflection of the Conflict more doleful is the consideration of the extreme fatigue, Hunger, and infinite Hardships the Inhabitants had undergone in the settlement and Cultivation of a Wilderness Country. It still adds a twinge to the smart to take a retrospect on the Interim, and view the Attornies and wealthy Gentlemen in the Province (and most of them in the City) of New-York "which fared sumptiously every day" perusing the old obsolete and abdicated Charters from King Charles to the Duke of York and inspecting into the Cabots and Hudsons exploring this Continent, and withal inspecting closely, whether in ancient time some Dutchman had not Possession of some part of the abdicated Premises, and by such round about and jallacious Pretences of deducing a Title planning the ruin of the Inhabitants aforesaid — But to return to the Sheriff and Posse of Albany County who were in motion to dispossess the Inhabitants, Defendants aforesaid and deliver their Tenements to the Claimants under New-York. The Inhabitants being thus drove to the Extremity of either quitting their Country and Possessions, or make forceable Opposition to the Sheriff and Posse. In this State of Desperacy they put on Fortitude and chose the latter Expedient and managed with that Oeconomy that they defeated the Sheriff in dispossesing them without Bloodshed: Though it should be confessed that this Event was but partly owing to the Fortitude of the Inhabitants; the greatest Reason was this, the People of the Government in general (but particularly that compose the Posse of the said County of Albany

were fully persuaded and conscious that the cause of the Inhabitants was just; and that the New-York Patentees was oppressive and unjust; And therefore they would not hazard their lives to defend them in such an usurpation of the Rights of their fellow Men. WHERE had before this time been several lesser combinations of the People of those Grants to defend their Persons and Properties from the Encroachments of New-York which by them are called by the Opprobrious names of Riots, Mobs, Rebellion, Felony &c. After the ineffectual Muster of the Posse the Land Monopolizers in the Colony of New-York adopted different Measures to accomplish their Designs: perceiving they could not raise a Militia that would Fight for the titles of their Subsequent-Patents, and they being a cringing, fawning, deceitful Fraternity, not inured to the Horrors of War, or any thing Heroic, durst not Fight for their own Claims. Their accustomed Way to carry Points being to deceive, cheat and overreach the Commonality of their Species, under a Pretence of Law, Justice, good Government and a great Pretended Zeal of Loyalty &c: They were therefore obliged to follow their old Beaten Road of Politics, and by their Influence, caused to be indicted as Rioters, every of the most bold, spirited and leading Men, who were active in defencing either their Country or themselves against their most egregious and intriguing Wiles, hoping to make such an Example of them thereby as to frighten the Rest into their despotic Measures. The Inhabitants in general viewing this to be their Policy, guarded against it, and were active in defending themselves, their Friends and Neighbors so indicted, being fully persuaded that the Fraternity of New-York Patentees were the Fomentors and Planners of those Indictments; and that they eventually by such Stratagems, designed to avail themselves of the Fee-simple of the Leases which they the aforesaid Inhabitants possessed. And as for the New-York Patentees and each part of the authority and People as they could Influence, they were active, endeavoring by all and every Method to apprehend the Rioters (so called) and punish them as Criminals. The Struggles that ensued between the parties relative to taking and defencing Rioters terminated in Wrath, Strife and Ill-will: The consequences arising therefrom (which are too prolix to be inserted) are very ingeniously summed up in the Words. "Where Envying and Strife is there is Confusion and every Evil Work." Tho' it is common (and almost without Exception) for both parties to be more or less blameable in so long and spirited Controversy yet in the Instance before us, it is beyond Dispute certain, that

the Yorkers are acting ~~in the~~ offensively and the New-Hampshire settlers defensively which will more fully appear. But to shorten this narration and yet make it intelligible and exhibit to View what those Gentlemen interested in the Lands contained in the New-Hampshire Grants by subsequent Patents from the Government of New-York have exploded their Influence into the General Assembly of the Government, and sway the whole Legislative Body; the following Votes and Proceedings of the General ~~Convention~~ Committee for the Inhabitants of the New-Hampshire Grants in Answer thereto: And likewise the Acts passed by the Legislative Body aforesaid, the 9th of March ultimo, and Remarks on the same, which, here follow in their order as they were published in sundry public News-papers in America.

From the New-Hampshire Gazette No 917.

At a General Meeting of the Committee for the several Townships on the West-side of the Range of Green Mountains granted under the great Seal of the Province of New-Hampshire, held at the house of Mr Elisha Wellers in Massachusetts on the first day of March A.D. 1774. and afterwards by adjournment, at the house of Capt. Ethiel Hawley in Arlington, on the third Wednesday of the same month, at which several times and places the New York Mercury No 1169. was produced, which contains an Extract from the Votes and Proceedings of the General Assembly of the Colony of New-York which is as follows Viz.

"In Council, Fort George, New York, A.D. 5th February 1774.

Mr Brush (in behalf of Mr Clinton Chairman) from the Grand Committee reported, that he was directed by the said Committee, to make the following Report to the House, viz. That the said Committee having taken into consideration the Petition of Benjamin Hough, in behalf of himself, and many of his Majestys Subjects, inhabiting the County of Charlotte, and the North-Eastern District of the County of Albany, complaining of many acts of Outrage, Cruelty, and Oppression, committed against their Persons and Properties by the Bennington Mob, and the Dangers and Injuries to which they are daily Exposed and imploring that this House will take them under their Protection, and secure them against future Violence, and the said Committee, having also duly considered the several Proofs and Depositions presented in support of the Truth of the said Petition do thereupon Resolve

"I. That it appears to this Committee that there at present prevails in part of the County of Charlotte, and in the North-Eastern District of the County

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of Albany, a dangerous and destructive Spirit of Riots and Licentiousness, subversive of all Order and Good Government and that it is become an intolerable Grievance which requires immediate Redress

"2. Resolved, That it appears to this Committee that many Acts of Outrage Cruelty and Oppression have been there perpetrated by a Number of Lawless Persons calling themselves the Bennington Mob &c. &c. who have seized insulted and terrified several Magistrates and other civil Officers, so that they dare not exercise their respective Functions, signed Prisoners for Debt, assumed to themselves military Commands, and Judicial Power, burned and demolished the Houses and Property and beat and abused the persons of many of his Majestys Subjects, expelled them from their Possessions, and put a period to the administration of Justice and spread Terror and Destruction through that part of the Country which is exposed to their Oppression—

"3. Resolved, That it is the Opinion of this Committee that the Complainants before this House and Others who inhabit part of that Colony, and from respect to Government will not countenance or be concerned in the said riotous Proceedings, are exposed from the Violence of the Rioters to eminent danger both in Persons and Properties and that they stand in need of immediate Protection, and Succor—

"4. Resolved, That it appears to this Committee that Ethan Allen, Seth Warner, Remember Baker, Robert Cochrane, Peleg Sunderland, Silvanus Brown, James Brakenridge, and John Smith, are Principal Ring-Leaders and Actors in the Riots and Disturbances aforesaid and that it is therefore the Opinion of this Committee, that an humble Address be presented to His Excellency, desiring that he would be pleased to issue a Proclamation offering a Reward of Fifty Pounds for apprehending any or either of the Persons above named, in his Majestys Goal in Albany, and Commanding the Magistrates, and other Civil Officers of the Counties of Albany and Charlotte, to be active and vigilant in suppressing the said Riots and ~~Disturbances~~ preserving aforesaid the publick Peace and good Order as well as for bringing to Justice the Perpetrators, and Authors of said Riots.

"5. Resolved, That it is the Opinion of this Committee that a Bill be brought in more effectually to suppress the said Riots and disorderly Proceedings maintain the grace Course of Justice, and for bringing the offenders to condign punishment; which Report he read in his Place, and afterwards delivered it in at the Table, where the said Resolutions were severally read a second Time. Resolved That this House doth agree with the Committee in

their said Resolutions—

"Ordered, That a Bill be brought in, pursuant to the last Resolution, and that ... Brush and Col. Dan Brock, prepare and bring in the same."

"Ordered, That Capt. Delancy and Mr Walton wait on his Excellency the Governor with the foregoing Address and Resolutions of the House."

Mr Nathan Clark, Chairman of the Committee of the New-Hampshire Settlers aforesaid, ordered the Clerk to read the Resolves and Votes aforesaid, to the general Committee, which was accordingly read sundry times and the following Draught being presented in Answer thereto, to the Publick Meeting, Seven Persons were selected and chosen out of the said general Committee to examine the same, and report their Opinion thereon, which here follows.

"When we consider the numberless Troubles and almost insurmountable Difficulties which our infant Settlements have been forced to Struggle with, since its first Beginning, which have been occasioned by an unequal and biassed Administration of Law ever since our unhappy Misfortune of being annexed to a Government in which the Interest of the greater Part of the Leading Gentlemen thereof are in direct Opposition to ours. The tyrannical Measures they take to enslave us (we hope) will not fail to justify us in the following arguments and Resolves thereon, for we think it an intolerable Hardship, and piece of inhuman Cruelty, that we cannot be said to give sufficient Proof of our Loyalty and Obedience to Government but at the Resignation of our whole Fortunes, in the Purchase and Improvement of which we have suffered an Infinity of Hardships. Yet at the same time impressed with a sense of Gratitude we return our Thankful Acknowledgement to those worthy Gentlemen, Governor Tryon and sundry of his Majesty's honourable Council, for the Province of New-York for their signal favors to us in some time Past which has in some Degree, alleviated and supported us under our heavy Troubles and Oppression But when we consider that His Excellency is about to embark for Great Britain, and while we view the spirit of the General Assembly, in their Resolves, we cannot but reflect with some Regret on what may of consequence prove the Result (without an Alteration) of their present Opinion, but there are scarce any Circumstances that entirely exclude Hope. Therefore we are not yet in total Despair. For this Moment we happily call to Mind, that the General Assembly of the same Province, about two years ago, did annex all that part of the Bay Province, west of Hoosic River to that Undimited County of Albany; but their avaricious Grappling not being of a sufficient Breadth for such an unreasonable Burthen, it failed, by which they lost their ideal "Booty—" The candid Reader will doubtless

Observe, that in the Resolves of the Assembly aforesaid there is not a single word mentioned in Regard to the title of the Land contested for but that they level all their spleen, and point all their Malice at notorious Rioters as they call them, and make a pretended Show and Figure, as though they were great Sticklers for good Order and Government although at the same time every person of common sense, who has had any acquaintance and Knowledge of the Controversy absolutely knows that our goodly Land with the Labour thereon, is the only Subject Matter and grand Object of the whole Controversy; and give the New-Yorkers but that, and the Matter would be accomplished to their eternal satisfaction; and it is presumed the Words Rioters, Disorderly, Lascentious &c would not be printed again on account of the New-Hampshire Grantees and present Occupants, for the whole course of the ensueing Century — For the truth of the case is the Executors of the Law, are most (if not all of them) the pretended Claimants to the Lands whereon the New-Hampshire Grantees and Occupants dwell, and their Judgments on Writs of Ejectment sought by the New-York Patentees, have not hitherto failed to correspond with their imaginary interest; but were they honest Men, they would not undertake to be Judges in their own case, or in any other wherein the Resolution thereof would make a Precedent; for their own especially in title of Land wherein Judge and Plaintiff are connected in one common Interest, such a Distribution of Law is contrary to the Law of Reason and Nations "Therefore, our case stands thus, if we submit to their Execution of Law, and become obedient and submissive Subjects of their designing Government, we must soon yield to be their Tenants and Slaves, and we cannot see Reason to conform to any Law, or such Branches of it, as will apparently bring us and our Posterity into Bondage or manifestly deprive us of our Property, which to us is very precious as it would be to the New-Yorkers was it in their Hands; we first immediately recommended to the Governor of the Province of the General Assembly to issue his Proclamation, Offering therein Large sums of Money to apprehend those notorious Rioters (as they are pleased to stile them) But any one who has had Opportunity to read the Stipulation and particular Articles of the Royal Faith, pledged by the Government of New York to the N. Hampshire Grantees and settlers, dated in July Anno Domini 1764. will immediately find a sufficient Reason for the Governors not signing such a Proclamation, for it must indeed be Shocking to Common Sense when the Reader comes to observe what notorious Complaints, and most horrid Accusations are set forth in the Resolves of the General Assembly of New-York mentioned in the fore Part of this Paper, against Honest

of hard Labouring, industrious, honest Peasants, who are in truth loyal Subjects of the Crown of Great Britain for their Violations of Law and Government when at the same time the following Express Orders from his most Sacred Majesty to this Religious Government of N. York, will plainly show that they do not make the least Resistance, to rebel and act in direct Opposition to the Authority of the Crown whereas in the present case they show a disposition to take Advantage of the mistaken part of those under their Government, and throw them into Contention and disorder and thereby build their Fortunes on the Ruin of the Predetermined Aggressors, and all under the specious Pretence of good Order and Government which is not what they eventually aim at as will appear by the following Order —

At a Court at St James's the 24th Day of July 1767.

Present the Kings most Excellent Majesty —

Archbishop of Canterbury —
Lord Chancellor —
Duke of Queensbury —
Duke of Ancester —
Lord Chamberlain —
Earl of Litchfield —
Earl of Bristol —
Earl of Shelburne —
Viscount Falmouth —
Viscount Barrington —
Viscount Clarke —
Bishop of London —
Mr Secretary Conway —
Hans Stanley Esqr. —

"The Petition and Report thereon by the Lords of Trade and Plantation Affairs, is too prolix to be inserted in this paper, the Royal Order is therefore only transcribed, which is as follows —

"His Majesty taking the said report into consideration, was pleased, with the advice of his Privy Council, to approve thereof, and doth hereby strictly charge, require and command, that the Governor or Commander in Chief of his Majestys Province of New York for the time being, do not upon Pain of his Majestys highest Displeasure, presume to make any Grant whatsoever, of any part of the Lands described in the said Report until his Majestys further Pleasure shall be known concerning the same —

a true Copy — William Sharpe.

Attest. Geo. Barker Dep. Secry —

Notwithstanding this Prohibition, and one or two more of the same general import, and from the same general Authority, the Government of N. York have Lapsed their Patents on the New-Hampshire Grants and in Consequence thereof demand at Common Law. the Lands on which the N. Hampshire Grantees and Occupants dwell, and from thence has arisen the numerous Troubles and Disturbances between the Government of N. York and its discontented Subjects, the Settlers under

New-Hampshire. This has also been the source of all Licentiousness and Confusion, Roiotousness &c complained of by that Government against the Settlers aforesaid.

And whereas the true State of our Grants hath been already Laid before the war-thy Lords of Trade and Plantations and they having considered and wisely deliberated upon its several circumstances did on the third day of December A.L. 1772. make their Report in favor of the New-Hampshire Grantees to his most Gracious Majesty; whose Royal Confirmation we daily expect; and on the Faith of this Credit and good Report, many Hundreds of Industrious (and many of them wealthy) Families have purchased and moved upon the New-Hampshire Grants, nothing doubting of their title.

We therefore humbly report to the said General Committee of the New-Hampshire Grants, as our Opinion, That as we ever have, so for the future we will remain Loyal and dutiful Subjects, to our most-Rightful Sovereign George the Third; and demean ourselves agreeable to the Good and Wholesome Laws of the Realm, and Fight for the honour and Dignity of his Majestys Crown and Government; at all times when there may be a call for it: Viewing him as our political Father, and relying upon him to be protected in our Property.

"2. That as we purchased our Lands of one of his Majesty Governors, and on the good Faith of the Crown of Great Britain we are determined to maintain those Grants, against all Opposition, until his Majestys Royal Pleasure shall be known on the Premises."

And whereas we have never made any further resistance to Government, than the Law of self-Preservation which the Law of GOD and Nature enjoyns on every intelligence, wise and understanding Being, we therefore are fully of the Opinion to Resolve —

3. That such of the Magistrates and governmental Authority of the Province of New-York, as have perused, and have been accessory in the scheme of Inducting our Friends and Neighbors as Rioters; and have by Intrigue and Stratagem, of various sorts endeavored to take them, and punish them as Criminals; thereby to distress and terrify the New-Hampshire Settlers to that Degree, that they may be tamely disinherited, have acted contrary to the Spirit and Design of the good and Righteous Laws of Great-Britain which, under a just administration, never fail to secure the Liberty and Property of the Subject, are thereby guilty of great Inhumanity to its respective Subjects. That therefore Resolve, That as a Country, we will stand

by, and defend our Friends and Neighbors, so indicted, at the expence of our Lives and Fortunes. And we would recommend it to the General Assembly of the Province of New-York, to wait the Determination of his Majesty, relative to the title of those Lands, and desist from taking us as Rioters, to prevent the unhappy consequences that may result from such an attempt.

A. & D. Fourthly, and Lastly Resolved, That for the future, every necessary Preparation, be made, and that our inhabitants hold themselves in Readiness at a Minutes Warning to aid and defend such Friends of ours, who for their Merit to the great and general Cause, are falsely denominated Rioters; but that we will not act any thing more or less but on the Defensive, and always encourage due Execution of Law, in Civil cases and also in criminal Prosecutions, that are so needed, and that we will assist to the utmost of our Power, the Officers appointed for that Purpose. "The foregoing Arguments, Narrations and Resolves, being laid before the General Committee of the New-Hampshire Grants, and was read sundery times, and carefully examined. And after mature deliberation, Mr Clark Chairman, put the Votes to Tryal, whether the foregoing was approved of, as an Answer to the Resolves of the General Assembly of the Province of New-York? and it was passed in the affirmative. And it was furthermore the Advice of this Committee, that the foregoing be forthwith exhibited in the Public Papers to the intent that all Officers, Magistrates and Persons, whatsoever may know that if they presume to take the Rioters aforesaid, they do it on their Peril.

Certified per=

Nathan Clark Chairman.

Jonas Fay Clerk.

Bennington April. 14. 1774.

The foregoing Document contains 23 Pages.

The following Law of the Colony of New-York, was passed the 9th. Day of March 1774.

" An Act for preventing tumultuous Assemblies in the Places therein mentioned, and for the more speedy and effectual punishing the Rioters. Page 19 and to 36. From the New-Hampshire Gazette. No 916.

Remarks &c. on some late Laws passed in New-York. Page 36 to 43.

In order to exhibit a more full Narrative of the real State of the Controversy aforesaid, it is thought Necessary here to Insert sundry Letters from Governor

Bryon to the Inhabitants of Bennington and the adjacent Country, and their Answers thereto, as they were published in sundry public News Papers: which will serve to open to View the Antecedent State, and Progression of the Controversy, as far back as the Year 1772. and reflect Light on so important a Cause. Page 49. From the Connecticut Courant. No 394.

New-York 19th May. 1772.

"On His Majesty's Service —

By the Rev. Mr Dewey: and the inhabitants of Bennington and the adjacent Country on the East side of Hudsons River. Page 49 to 51.

Bennington 5th June 1772.

To his Excellency WILLIAM Tryon. Esquire. &c.

May it Please Your Excellency. 51 to 54.

Bennington 5th June 1774.

To His Excellency William Tryon Esquire &c Page 54 to 65.

An Encomium on the Excellency Governor Tryon & his Majestys Honorable Council of the Province of New-York. Copied from the Conn. Courant

Whereas the Inhabitants of the Lands west of Connecticut River who purchased their Lands of his Majesty Government of New-Hampshire, who on the faith of Government; and full Reliance on the Veracity of Charters under the Great Seal of that Province, have settled, cultivated, and made great Improvements thereon, which tract of Land, in the Year Seventeen Hundred and sixty Four. his Majesty was pleased to annex the Province of New-York. And whereas, subsequent thereto, a number of Moneyed and litigious Gentlemen of the Province (and principally of the City) of New-York, procured Patents under the Great Seal of that Province & covered sundry Townships the same identical Land, antecedently Granted under the Great Seal of the Province of New-Hampshire. And whereas many Vexatious Lawsuits, and Clandestine and oppressive crown Prosecutions, have been craftily, subtilly, and with a design to overawe, abuse, terrify, and impoverish the said Inhabitants, hath been militated, devised; and prosecuted against them in the Inhabitants (insolence) of the Gentlemen aforesaid, purpasing by such base and oppressive Measures of Policy, to defraud and wrong the said Inhabitants, out of the Possession and Property of their Country. And in order to elude and defeat such their disingenuous and vicious Policy, the said Inhabitants agreed to oppose New York officers, in their Attempts to take Rioters. so chargd. Revised and take every other requisite, Lawful and effectual Method to defend their Property. "And Matters having come to this. that Hostility,

4 of 5

Revenge Hatred, that began to put on their bloody murtherous and vengeful Emblems - In which propositions from His Excellency William Tryon Esqr. Governor of the Province of New-York sent the said inhabitants a kind, lenient and generous Letter, which treated parent rather the Affection of a Father, than a hard hearted Judge, requesting the said Inhabitants to exhibit to him in Council, the Grounds of their Discontent and uneasiness and the Cause of their Recent and illegal Proceedings; assuring them, that they should be heard with Candor in the Premises, and have each Reality as the Nature and Circumstances of their Case should justify.

Upon which the Town of Bennington, and the adjacent Towns by their Committee, met at Bennington, and sent a written Answer to his Excellencys Letter informing him of the State of the Controversy, and withal of the Grounds of their uneasiness and Discontent, and the Cause of their Proceedings; and also made Choice of Captain Stephen Fay, and Doctor Jonas Fay, of Bennington, to go to New York, and deliver the written answer to his Excellency, and further inform him as to the State of the Facts, and negotiate the Matter of our Petition; (though not with power to compleat a settlement on our Part). His Excellency received the Agents with Expressions of Kindness - laid the State of Grievances before his Majesty's Honourable Council, who after mature consideration, determined in the following Words: "The Committe are desirous your Excellency should afford the Inhabitants of those Townships, all the Relief in your Power, by suspending till his Majesty's Pleasure shall be known, all Prosecutions in Behalf of the Crown, on Account of the Crimes with which they stand charged, by Depositions before us, and to recommend it to the Owners of the contested Lands, under Grants from this Province, to put a Stop, during the same Period, to all civil Suits concerning the Lands in Question". After our Agents received Copies of the Minutes of Council, and also a Letter from His Excellency, purporting his Approbation and Compliance therewith, they returned to Bennington with great Joy - warned a Meeting of that Town and the adjacent Country, which was held on the 15th of July Ultimo - and before a large Auditory of People, the Copy of the Minutes of the Council was read and also his Excellencys Letter of Compliance with the same which diffused universal Joy through the Country of the New-Hampshire Grants, and the People were at Strife in doing the most expalliate Honour to Governor Tryon - And having at Bennington a Cannon, it was discharged sundry times in Honour to his Excellency and the Honorable Council, and after

the report of the Cannon each several time, the whole Audience gave a Huzza! in acclamation, Good-Will, Gratitude, and moral Reasons to Governor, and Capt Warners Company of Green Mountain Boys under Arms, fired three Vollies of small Arms, in Concert-musick of the Day. His Majesty's Health, also a Health to his Excellency, and his Majesty honourable Council was drank with full flowing Bowls and confusion to all the New-York Land-jobbers hoping Peace, Liberty and Plenty may abound. Dated August 22nd 1772.

From the Vermont-Records.

His Excellency Governor Bryans Letter to the Inhabitants of Bennington &c Albany 19th August 1772. Page 69 to 70.

Bennington August 26th 1772.

To his Excellency William Bryan Esq. &c Page 70 to 77.

Arguments

Demonstrating that the Property of the District of L & N.D. aforesaid was conveyed from the Crown to the New-Hampshire Grantees by Virtue of their respective Charters. Page 77 to 96. Some Remarks on a Pamphlet entitled A State of the Rights of the Colony of New-York &c. Page 97 to 99.

Extract of King Charles the second Grant of the Province of New-York to his Brother James Duke of York. Page 99 to 183

Introduction to the Appendix

Whereas the French Government of Canada have made sundry Grants of some of the most valuable Part of those Lands in Dispute between the Government of New-York and the Claimants under New Hampshire on the Easterly Side of Lake Champlain, and even to the southward of Crown Point. And whereas the General Assembly of the Colony of New-York, in their State of the Rights of that Colony, so far as concerns the French Grants aforesaid, have very ingeniously confuted the French claim to those Lands; shall therefore subjoin it as an Appendix to this Treatise. inasmuch as the same Arguments equally support the New-Hampshire claim, against that of the French, as they do that of New-York. There were several Reasons which induced the Editor to make use of the Appendix. Page 183 to 188.

Transcribed from the Assembly of New-York's State &c Ver Batim-

A State of the Rights of the Colony of New York, so far as concerns the Grants formerly made by the French Government of Canada, of Lands on Lake Champlain, and all and to the southward of Crown Point

Page 187 to 211

Col. P. Howard to (James Duane.)

London July 26th 1773.

Dear Sir—

I had the pleasure of receiving your letter some time ago, in consequence of which I waited upon Mr Blackburn and with Mr Kelly we waited upon Mr Burke. the result of which conversation I make no doubt but Mr Blackburn has acquainted you with. Much interest I understand has been made by the Canadians relative to their claims; and more interest the New-England people seem to have here, relative to the New-Hampshire dispute than what your Province has. this pity that some of you that are able does not attend to this business in person. in the instructions proposed for accommodating matters with the New-Hampshire people there seems to be a vein of partiality that runs throughout towards them, but one single line or two defeats the whole as far as I now can recollect is as follows.

"We are sensible that the Patentees holding under the Province of New-York cannot be affected or set aside by his Majesty if they insist upon their titles" or at least to that effect but as you have undoubtedly seen the proposals of accommodation that were sent to the Governor you will be much better able to comment upon the passage it struck me so strong that I was pretty well satisfied with my title. but notwithstanding from delays & misrepresentations it will be of little effect to the Province unless some person of ability attends to the management and final determination of the business.

I return you my very sincere thanks for the trouble you have so obligingly taken about my own private affairs. I shall be at all times happy to testify my thanks to you, and my gratitude to the agreeable inhabitants of New-York in general for the kind reception I met with from them and believe me to be at all times Dear Sir—

Your very sincere

& most obed. Hble Servt.

P. Howard

I have since heard that the dispute between Canada & New-York, and New-Hampshire and New-York, will finally be heard before the Privy Council, by Counsel from each Province, and that Canada and New-Hampshire have already retained the ablest counsellors in this

Kingdom how far it behooves the province of New-York to act with spirit and precision in this affair you will be a better judge than myself but whatever determination they come to they must be quick in it. one remark I must take the liberty to make which is that no business is so well and so expeditiously done by deputy as when a person who is interested himself attends to it provided he has abilities equal to the management of it. It appears to me that it will be the only effectual method and the most speedy to have it come as soon as possible before the Priva Council & Lord Dartmouth seems to have reserved his opinion relative to the right of each province till it comes before him as a privy Counsellor, how necessary it may be for your Province to take immediate and very effectual steps preparatory to this hearing, and to be the Plaintiff rather than the defendant upon this occasion, you will be able best to determine.

John Blackburn to James Duane.

James Duane Esq. Copy. London 7. Aug.t 1773.

Sir

Foregoing is a copy of what I had the pleasure of writing you on the 7th. ult: since which I have not been honored with any of your letters upon hearing the pleadings upon the dispute between Gov.r Wentworth and Mr Lewis. I thought it necessary to write to Mr Burke and to recommend that he immediately retained Mr Dunning and Mr Skinner as Council in your behalf and also employed Mr Sharpe as your Solicitor he being a person better informed in the Law of Plantation Business than any others. I have since mentioned this my proceeding to Col. Howard who approved of same.

I have seen Lord Dartmouth but cannot mention the substance of our conversation. be assured he will take no lead but what is the subject of mature deliberation and I flatter myself with hopes of seeing all your rights properly maintained and supported. In cases of settlement for a number of years it would be hard to dispossess a man of what he has thought his indispitable rights, a restribution would be allowed him by the Law of humanity and strict justice particularly if the Grantor did not acquaint him of his disputed rights or uncertain tenure. I shall from time to time inform you Mr Burke of every step that I judge conducive to your interest and that of your Province and will spare no money to serve you. I do imagine that the expense of these two litigations if brought before the King and Council will cost a very large sum of money.

I am Sir,

Your most obed.t hble Servt.

John Blackburn.

Supposed to be between 1769 & 1772

238.41

Account of the inhabitants of the County of Charlotte

1 - In Province Town, there are upwards of 70 families — 70 —
2 - In Chatham north of it about — — — — — — 10 — —
3 - In Eugene — — — — — — — — — — — — 40 — —
4 - Scattered in that neighborhood 12 — — — — 12 — —
5 - In Chesterfield adjoining the north bounds of Chatham 46 who hold under this Govt — — — 46 —
6 - In Grafton about 10 or 12 (which adjoins Chesterfield) — — 10 —
7 - In Durham 34 who hold under this province — — — — 34 —
8 - Social Borough 38 who have already and who are about taking titles under the proprietors — — — 38 —
9 A few in Kelso and Richmond say — — — — — — 6 —
10 - Along the north side of Batton Hill — — — — — 26 —
11. The little patent to Soldiers on the East-side of New Perth settled under the Patentees — — — 12 —
12 In north Perth about — — — — — 80 —
Besides the families between that & Henelsons River may be (but uncertain) — — 50 —

Exclusive of these

There are some families in Queensborough say — — — — 20 —
Some in Colonel Reids tract perhaps (but uncertain — 15 —
Heads of families — — — — — 479 —
Some scattered families along the Lake which will not exceed 30 —
Wallesborough — — — — — — 2 —
Moncton — — — — — — — 10 —
Tilliland Settlement — — — — — — 6 —
Near the mouth of Amon River — — — 2
If Albany County should extend as far north as an east-line along the north bounds of Argyleshire it will leave only the following families in the new County 129 (5 Heads 3 families)

1 — about one half of the families in Grafton — — — 5 — 34
2 — Durham — — — — — 34 —
3 — In Socialborough — — — 38 —
4 — In Kelso and Richmond — — — — — 6 —
5 — In Queensborough — — — — — 20 —
6 — Colonel Reids — — — — — 15 —
7 — along the Lake — — — — — 30 —
Heads borough adjoining Socialborough — — 2 —

6 — Monckton adjoining Hails borough — — — — 10

9th — Mr Pilliland settlement — — — — — 6

10th — near the mouth of Onion River. — 2

Heads of families 168

The Humble petition and complaint of Benjamin Hough Esqr in behalf of himself and other officers of Justice and inhabitants of the County of Charlotte praying for protection and redress against the Bennington Rioters——

The Petition and complaint of Benjamin Hough one of his Majestys Justices of the Peace for the County of Charlotte in behalf of himself, other officers of Justice, and many of the inhabitants of said County and particularly of the Township of Durham and Socialborough—

Most Humbly Sheweth that your Petitioners to their inexpressible grief find themselves again reduced to the necessity of imploring the compassionate attention of Govr to the calamities which they suffer and the ruin with which they are threatened by the Bennington Rioters—

The measure heretofore adopted by his Excellency Governor Tryon and Council, the Resolves of the General Assembly and the Act of Legislature passed at the last session for restoring peace & order & protecting your Petitioners in their lives & Properties instead of producing these salutary effects have only served to increase the rage and malice of those dissolute people and to expose your petitioners to fresh insults and if possible to greater danger and so feeble, and intimidated is the civil authority in ~~the~~ a part of the country remote from the metropolis and over run with fugitives from other Colonies that far from being able to punish offenders and check those licentious proceeding the magistrates at one of their riotous assemblies held in April last have been publicly voted enemies to their country and only for accepting their commissions under the authority of this Government and your Petitioner Benjamin Hough was formally served with a copy of that vote signed by the Clerk of the meeting In consequence of this outrageous resolution two of the Magistrates have been insulted with every abuse attacked in their persons and properties & hunted after and are pursued with open menaces that they should be taken and secured either dead or alive. while some of the chiefs of the rioters have barbarously directed their abettors to put them to death privately. In circumstances so perilous, no longer depending upon their own houses nor the most cautious & inoffensive behaviour for security they have been compelled to take refuge and conceal themselves in the night among their friends and your Petitioner Benjamin Hough was so narrowly watched

that for several nights immediately before he left the place of his residence he was under the necessity of keeping a guard for the Preservation of his life having twice with the utmost difficulty rescued himself out of the hands of the Rioters — That unrestrained by principle of duty or fear of punishment the Rioters seem arrived at the last stage of a deliberate opposition to Govt and the Laws for your Petitioners are well informed that they have lately erected two fortresses in the County of Charlotte one on Onion River and the other on Otter Creek, an act of hostility which while it encourages them in their confidence and presumption gives additional honor to your petitioners and if not speedily checked may prove the occasion of much mischief and bloodshed — That such of the inhabitants as are averse to the Lawless proceedings of the Rioters and by discountenancing them have incurred their resentment are daily exposed to the most imminent danger in their Persons and Properties as while their magistrates are treated with so much inhumanity they can have no reason to look for the least mercy — That called upon by motives of self preservation they have once more appointed the said Benjamin Hough to represent their grievous distresses to government and to renew his humble supplication in their behalf as well as his own for succor. Faithful and inoffensive subjects struggling under unparalleled oppressions and without the means of Law, justice, defence or security may be permitted to hope their earnest importunity will incite the compassion and the care of Govt especially when it is the misfortune of your Petitioners to be persuaded that if these reasonable expectations should unhappily become frustrate they must very soon fall victims to the inhuman tyranny of the Rioters and that if they escape with life the least that can befall them must be to be driven with their helpless families from their habitations in the greatest misery and distress.

Your Petitioner therefore appealing for the truth of the facts above asserted to the affidavits and papers hereunto annexed do humbly beseech your Honor to take their deplorable case into your wise consideration, and to grant them that speedy relief and protection of which they stand in so much need —

And your Petitioner
Shall ever Pray &c

From the Connecticut Courant—

April 29 to May 5 1772. N384—

Where are two reasons that render the New-York imputation of riotousness &c against the New-Hampshire settlers manifestly impertinent: the first consists in this, that the matters in dispute between the said settlers & Yorkers, are now lying before a disinterested & impartial board viz. that of the Lords of trade & plantation, who will if they have not already, make report to his Majesty & Council, their judgement in the case & his Majestys royal determination must settle the controversy. Now in the meanwhile this matter is thus judiciously determining it is very unreasonable as well as unconstitutional for the civil authority of New-York to send their sheriffs and posse to dispossess the settlers aforesaid—before his Majestys pleasure should be known. It seems the Yorkers are jealous his Majesty will do the just part and not gratify their avarice, & therefore last summer took it upon themselves to be judge, party and executioner sent the high sheriff of Albany County, with five hundred men to take possession of the County of New-Hampshire Grants & dispossess the settlers, but the brave settlers rallied a superior force, and in the calmest manner told them they should not leave that Country or be dispossessed of their houses and lands till his Majestys pleasure was known as to that particular. The Sheriff seeing that he was over maned, and that the people would not allow him to take possession &c. he and his party departed from that Country in peace—but upon this the brave inhabitants settlers aforesaid were deemed rioters. But query whether the Yorkers were not the aggressors by presuming to judge their own case, or at least by putting that judgement into execution when the same controversy was lying before his Majesty as aforesaid, which supercedes any authority they can boast of according to English liberty & constitution or the law of reason. No man is a proper judge on his own case for interest is supposed to bias the judgement, how far the interest dictates the civil authority in New-York in this matter: I am not able to say. There may be honourable men in the Sd administration and undoubtedly there are and if so I presume they are willing to wait his Majestys decision of the Sd dispute—No person of common sense can suppose that near or quite two thousand families would calmly quit their grants & Except his Majesty should so determine it—and the Yorkers very well know his Majesty will not so determine the case which is the reason they have recourse to other means—The second reason will more fully illustrate the unreasonableness of the proceedings of New-York against the inhabitants afore-

said Mr. Wm. Sir Henry Colleton. Moor was governor of N. York his Majesty
Each the respective Governor and governors of that province under an absolute prohibition
with respect to granting any of the lands. priorly granted unless the great
seal of the province of N. Hampshire. This plainly indicates that this
Majesty designs the New-Hampshire grantees, should not be troubled
or the settlers sustain damage till his Majesty has opportunity to
look into the state of the case, and settle the controversy. And I now
earnestly recommend it to J— Tryon in the interim of time while
his Majesty is settling the sd dispute not to issue forth to the public
any more proclamations, saying the sd inhabitants of being licentious
disorderly, stimulating factions and riots against government. but
as a good and wise governor wait the royal decision for I will assure
you sir the said inhabitants are not regulators —

By a friend of Prosperity and Government —

159

238:44

Benjamin Spencer to James Duane —

Durham April 11th. 1772.

Sir —

The people of Socialborough decline buying of their lands having hopes of peace and say they will defend it by force. The people that have settled under Lydius Title and those that have come in this Spring have agreed for their lands, the people of New-Hampshire strictly forbid any further survey being made of Socialborough or any settlements being made only under the New-Hampshire Title which riotous spirits have prevented many persons settling this Spring. You may ask why I do not proceed against them in a due course of law but you need not wonder when I tell you that it hath got to that the people go armed and guards set in the road to examine people, what their business is and where they are going, and if they do not give a particular account they are taken in a most shameful manner, and it is got to that they say they will not be brought to justice by this Province & bid defiance to my authority in the Province. We are threatened at distance of being burned of our lands or our crops destroyed. I have this opportunity of ~~informing~~ writing by way of Major Skeen, and have not opportunity of informed you of the number of lots and mens names, that you may draw the deeds, but will send them the first opportunity as it will take some time to view the lots and give a particular account. I hope the survey of our Patent may not be stopped on account of this tumult as we shall labor under a great disadvantage if our lands are not divided this Spring. I look upon it to be dangerous for Mr Cockburn to come into the country until the people can be subdued he may come thereby way of Major Skeene but he cannot do any work only what he doth for us. if he attempt any further I am afraid of the consequence but if he does not care to come, I desire that some person may be employed here about that we may know where our land is of which I should be glad you would inform me of as soon as possible: One Ethan Allen hath brought from Connecticut twelve or fifteen of the most blackguard fellows he can get double armed in order to protect him and if some method is not taken to subdue the town of Bennington Granvillsbury, Arlington, Manchester, and those people in Socialborough and there scattering about the woods, where had as good be an enel of Lost.

I am with all due regard your humble Servt

Benjamin Spencer

238:45

From the Connecticut Courant—

April 21st. 28. 1772 No 383

G. Tryon of New-York having exhibited a proclamation in the New York Mercury in which he very unjustly charges the inhabitants in General now dwelling on the lands formerly granted under the great Seal of the province of N. Hampshire of being riotous disorderly stimulating faction &c. and further particularly affirms in the words following. That they daily commit acts of violence, openly bid defiance to the authority of government by opposing the execution of every legal process. This is a very severe and Cruel charge on 80 inhabitants, and if true might justify G. Tryon in executing that severe punishment which in this said proclamation he threatens to 80 inhabitants. Except they demean themselves as good and faithful subjects of New York. Now in order that the public may be able to judge whether the said inhabitants are guilty of Gov. Tryons said accusation or not it will be requisite that the truth of the facts be laid before the public which is as follows. The inhabitants aforesaid have had a petition which the Lords of trade and plantation have already come to a Resolution upon and agreed upon to report to his Majesty in Council that the 80 inhabitants — shall hold a fee of the land but that the Jurisdiction shall remain in New York. The Royal decision is not yet made manifest. When it is known it will be the end of the controversy. The fallacious policy made use of in New-York to obtain the jurisdiction, has given great umbrage to the 80 inhabitants. The Yorkers sent spies through the country, and by one pretence or other found out the names of the 80 inhabitants and when unknown to them affixed their several names to a petition requesting his Majesty to confirm and annex them to the province of New-York. This Leger remain was undoubtedly the cause of their extending their jurisdiction to the banks of Connecticut river; if so it is probable as the Evidence of this fact was sent to his Majesty & Council last summer. it will be the cause why his majesty and Council should alter the jurisdiction to New Hampshire. Again be this as it will, the unreasonable and inhuman use the Yorkers have made of the power of Jurisdiction since they obtained it, has given more trouble disquietude and uneasiness, than their first detestable way of obtaining it. Certain designing men in New-York having purchased patents from that province, and lapped them on patents antecedently granted under the great Seal of the province of New-Hampshire, which antecedent patents

were settled by the New-Hampshire grantees prior to the date of the patents under the great-seal of the province of N.Y. notwithstanding the N.Y. York grantees have brought sundry writs of Ejectment against the N. Hamp. Grantees and actual settlers and having obtained judgment against them proceeded further, and took out writs of possession as they called them & by order of Law actually dispossessed sundry of sd inhabitants grantees as aforesaid of their houses and farms leaving them to suffer the inclemency of the weather and deprived of all the necessaries of life. Their new masters having taken and monopolized their Earthly all to themselves these unfeeling families having in the first-place expended their several fortunes in bringing their said farms out of a wilderness state into that of fruitful fields Gardens & Orchards, the whole County consisting of more than 1500 families, was greatly alarmed at the event which began to take place was in great consternation, each individual reading their own intolerable destruction from that which had already began. Still the writs of ejectment coming thick and faster, women sobbing and lamenting, children crying, and men pierced to the heart; with sorrow and indignation, at the approaching tyranny of New-York - mean while a high spirited man, took a small Cask of gourd and coldly delivered one of the officers who had gloried much in being the instrument of the New York oppression Took taking fire from this example in the breasts of great numbers of the people, the officers perceived it was not safe for them to serve writs of ejectment upon the people but more in special they were in hazard if they presumed to dispossess the people of their houses and lands - though in any matters of debt, by note promise or book or in fine for any sort of exercise for authority, except depriving the people of their Country or had a direct and apparent tendency thereto officers did and at this time do officiate in office as unmolested, may, actually, assisted when they desire it as in any plantation in England - Strange! Is it Tryon should say the sd inhabitants of riotousness faction & disobedience in every instance, that they oppose every legal process &c. as if his soul doated on such a sort of demeanor and obedience from sd inhabitants as would give him & his favorites peasible possession and enjoyment of their whole Country which they have by their money and labor made vastly valuable having metamorphosed it from a howling wilderness into villages & fruitful plantations. This is flagrantly that sort of loyalty and this

of jurisdiction aimed at by S_ Bryon and his associates, Providence has hitherto mightily protected Bennington, and the northern settlements from the policy and ravages of N. York, when the invisible pope made their appearance at that town last summer. God overruled it for good to that; for the sheriffs party when they saw the industry of the people and was informed how they firstly purchased the lands & paied their money for the same to one of his Majestys Governors, the the generality of the sheriffs party declared they would rather be accessory to oppose the sheriff than to dispossess the people. Furthermore there were a strong party of volunteers, well armed from the Bay province, and though they were willing to defend their setters from the jaws of the Yorkers even by force of arms, yet they were very much more rejoiced to see so generous a spirit in the sheriffs party, so that affray mightily served to open the eyes of great numbers of people both in the province of New-York and the Bay province & convince them of the justice of the Course in which the setters were engaged. There is one more sort of cunning made use of by New-York which is to make such a use of their jurisdiction as to make as to make presentments of every sensible, bold spirited man, who adheres closely to the maintaining the property of their lands, and there has been so many ~~attempts~~ occasions to either oppose the sheriff in dispossessing the people or opposing the officers in their attempts to take such of the people as they are pleased to enrol riders. By these means they enrol the most of the Country. Self preservation make it necessary that the said inhabitants hold together & defend themselves against this execrable cunning of New-York. for otherwise the Yorkers would so punish and bring to poverty every patriotic generous and valient man on their lands that the residue of the faint-hearted and ignorant people, would by them enslaved into such measures as tyranny and avarice should dictate. It is altogether impassible for the people that have settled their lands to demean themselves as good and faithful subjects of that province, in their sense of it, so long as they refuse to yield the property of their lands to the intrigues of New York. I am fully of opinion that the brave people will hold out to the end as they have done, so for the future they will maintain their possessions. This is the fact of the case and I now appeal to the judicious public to judge whether the S. are that wicked riotous & disorderly people S... Bryon has represented them to be. c

66

Connecticut Counsait. Sept. 22. 1772. No 304.

Whereas the inhabitants on the lands west of Connecticut river who purchased their lands of his Majesty province of New-Hampshire, who on the faith of government and full reliance on the veracity of charters under the great-seal of that province have settled, cultivated, and made great improvements thereon which tract of land in the year seventeen hundred and sixty four his Majesty was pleased to annex to the province of New-York. And whereas subsequent thereto, a number of mercenary litigious gentlemen of the province of New-York and principally of the City of New-York procured patents under the Great Seal of that province and covered sundry townships of the sd identical land, antecedently granted under the Great-Seal of the province of N. Hampshire. And whereas many vexatious lawsuits, and clandestine and oppressive crown prosecutions have been craftily subtilly, and with a design to over awe, abuse, terrify and impoverish the sd inhabitants hath been mititated devised, and prosecuted against them by the influence of the gentleman aforesaid, purposing by such base and oppressive measures of policy to defraud monapolize and crowd the inhabitants out of the possession and property of their ~~property~~ country. And in order to elude & defeat such their disingenous and vicious policy, the said inhabitants mutually agreed to oppose N. York officers in their attempts to take rioters, so characterised, and take every other requisite, lawful and effective method to defend their property. And matters having come to this that hostility, revenge and hatred, had begun to put on their bloody murtherous, and vengeful emblems In which propitious hour his Excellency William Tryon Esquire, governor of the province of N. York sent the sd inhabitants a kind, lenient; and gracious letter, which breathed forth rather the affection of a Father, than a hard hearted judge requesting the said inhabitants to exhibit them in Council, the grounds of their discontent & uneasiness, and the cause of their violent and illegal proceedings, assuring them, that they should be heard with candor in the premises, and have such relief as the nature & the circumstances of their case should justify. Upon which the town of Bennington, and the adjacent towns by their Committees met at Bennington, and sent a written answer to his Excellencys letter informing him of the State of the controversy and withall the ground of their uneasiness and discontent; and the cause of their proceedings and also made choice of Capt Stephen Day & Dr Jonas Fay of Bennington to go to New York and

deliver the written communication to his Excellency as to the state of facts and negotiate the matter of our petition (though not with a power to complete a settlement on our part.) His Excellency received the agents with expressions of kindness, laid the state of grievances before his Majesty Honorable Council who after mature consideration determined in the words following. "The Committee are desirous your Excellency should afford the inhabitants of those townships all the relief in your power, by suspending till his Majestys pleasure shall be known, all prosecutions in behalf of the Crown on account of the crimes with which they stand charged by deposition before us & to recommend it to the owners of the contested lands undergiants from this province to put a stop during the same period to all civil suits concerning the lands in question". After our agents received copies of the minutes of Council and also a letter from his Excellency purporting his approbation and compliance therewith. They returned to Bennington with great joy where a meeting of that town and the adjacent country which was held on the 15th of July ultimo and before a large and itory of people, the Copy of the minutes of Council was read and also his Excellency's letter of compliance to the same which diffused universal joy through the country of the New-Hampshire grants, and the people were at strife in doing the most exalted honor to Governor Tryon. And having at Bennington a cannon it was discharged sundry times in honor to his Excellency & his Majestys most honourable Council, and after the report of the cannon each several time the whole audience gave a huzza, in acclamation, good will, gratitude & vocal honor to Governor Tryon, and Capt. Warners company of Green Mountain Boys under arms, fired three volleys of small arms, in consent and aid of the same. His Majestys health also a health to his Excellency and his Majestys most honourable Council was drank with full flowing bowls, & confusion to Duane & Kemp. and their associates. hoping peace & plenty may abound.

Dated August. 22d. 1772.

238:48

John Munro to James Duane.

Albany July 9th 1772.

Dear Sir

I hope this will find you and family well which I shall be very glad to hear. I expected to have the pleasure of seeing you upon your return to Schenectady. I understand that my good friend Jay is returned with the terms or article of capitulation, but are not signed by both parties, but how far this will ~~excuse~~ secure me from the execution of the judgement given against me is however I am just going up in order to do something (if to kill or to be killed) and if I shall be under the necessity of complying with the terms sent me before you went from here & which I mentioned to you, I wish I knew him to rep Govt without hurting the interest of my friends, and they might depend upon my doing it. I hope you will be so good as to take care of my affair with Sherman & not suffer him to leave New-York before he puts in his answer at the same time please to give my kind respects to Mrs Kemp and Bangor, and be so good as to write me when the great and good news will come over the great Lake.

No doubt after the full recommendations given by Lansdorer Jay and to Govt of my conduct & good qualifications but what I shall be preferred to some office of honor and profit in Govt when all others dead

I am

Dear Sir

Your very obt Servant

John Munro

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From the Connecticut Courant.

June 2 - 9 - 1772. No. 389.

The following contains a true narrative of the Sufferings and abuses received by Mr. Remember Parker, his Wife & family on the 22nd day of March A.D. 1772. at his own dwelling house in Arlington, and on the Lands granted by his late Excellency Benning Wentworth Esqr., Late Governor of the province of N. H.

This wicked, inhumane, most barbarous, infamous cruel, villainous & thievish (See Courant No 389)
Act, was perpetrated committed and carried into Execution by one John Munro a reputed Justice of the Peace, living near that place with a number of ruffians his neighbours — Who, after a Longe day consultation in plotting this wicked and horrid design surprised the s^d Baker in his said dwelling House about the first appearance of morn light on the s^d 22nd day of March and after making an attempt to discharge their fire arms through the door of the s^d Bakers house and finding their arms missing fire said Munro with his attendants did with axes forcibly break and enter the said Bakers house, and with weapons of death, spread destruction around the room, cutting with swords and bruising with fire arms and clubs men, women, & children swearing by God he would have Baker dead or alive, & that he would burn the house, Baker, Wife & Children and all the effects, and to com pass and bring this villainous scheme into execution did with his own wicked and rebellious hand convey fire from the hearth in the said house to a cupboard in the room, it being the most convenient place to answer his intention, when all on a sudden as quick as a flash, a Judas spirit that of gain & plunder, over ballanced this wicked module. This being agreed on, he instantly thrust his sword at Mrs Baker to have ended in that instant her life (as he has since confessed) when her right arm near her elbow joint; for that time happily preserved her from the intended murder. Others in the mean time were mawling, beating, & bruising his children. Mr Baker having at that time posted himself in his chamber, for the better security of himself family & effects, finding their malice, oaths and imprecations, were principally levelled at his person thought most proper to leave his Chamber, thinking thereby to draw the murderers after him and so give his family in their wounded circumstances a better opportunity to save themselves from impending ruin & utter destruction, accordingly burst a board from the cable end of the

house and leaped out at the window he had by that means made when part of the ruffians by the said justices command were ordered (after firing on said Baker and saying three times successively d—n him he is dead) to set on him a large, spiteful, wilful, malicious dog. educated and brought up agreeable to their own forms and customs. who, being like those other servants of the Devil. at that time all obedience, seized the s.d Baker; and being instantly joined by those his cruel partners bound and pinion'd him so fast that he was unable to use or make even the least resistance, in defence of himself, his unhappy wounded wife or his poor helpless children. And not being as yet satisfied with their own unlawful proceedings and their thirst for blood not being quenched, the better to enhance and increase their horrid crime and procure a full draught of human blood, to quench their unnatural thirst; did convey said Baker to the carriage in which they rode where in his confined state the said John did with his attendants Tomahawk, cut and slash in sports, that their eyes might see a life languish out by degrees, in streams of blood, while they did with a <u>God</u> D—n at almost every breath, laugh him in the face to express their satisfaction in his agonising groans. In this awful and lamentable situation, almost on the verge of Eternity by means of the bruises cuts and great effusion of Blood, said Baker with a voice according to his strength called for his clothes as he was yet naked from his bed, who was denied them by the s.d justice which after several strokes with his naked sword over said Bakers naked face and eyes and breaking the same in three pieces, and gave him this reflection, that God D—n him he would cloath him, a G—d D—n traitor; which aggravating threats gave them a new sip to their beloved revenge. Thus they continued him naked on this journey for the space of four miles & a half with many cruel words and hard blows, stopping his breath with handkerchiefs, till almost suffocated. lest he should apply to some person for relief. The said justice and attendants had taken what of the effects belonged to the house. he and they thought worthy in their present affrite notice. although they would in all probability have been more faithful in the prosecution of self and worldly gain had not they feared a surprise in so unchristian an act. They pursued their journey with severe words and cruel threats as though resolved to take a full swing and make an ample peach of human cruelty. until pursued by three persons, loyal and faithful subjects

to the Crown of Great Britain. whose banner they mean ever more to live under and die under, and after enquiring for the preservation of the life of sd Baker were immediately fired on by several of Mannings party and robbed of what interest he had with him, to the value of 40 dollars as a fresh sup and recruit to their hellish demanes. Those distressing tidings being soon spread on the premises enhanced the innocent inhabitants and for the preservation of Baker & his family & their own persons families & effects, some of them died prisone the said carriage about thirty miles, and when said John with his attendants being savage like, conscience struck, and condemned, run and hid themselves so private that it is not known by his or their acquaintance, where they have ever been seen since, leaving the sd Baker, with very little remains of life, unable to fight for himself, who willingly in his capacity accepted of mercy, which he had been so long a stranger to.

The foregoing contains but a very short time though true account of the barbarous conduct of the sd John towards the sd Baker and family - and such conduct exercised by a pretended civil magistrate or such a magistrate rather must be a dishonorable. a reproach shame disgrace &c on the laws restrictions regulations peace, manners, good order, and economy health of the Laws of God & Man.

The above and much more can be attested with good authority as many worthy persons were eye witnesses of the sd Tragedy.

The robber has since been confessed by the said justice and he has promised to make amends

Brief History
of
The Controversy with Vermont.
(From Rev. Dr Belknaps Hist. of New-H.)

The inhabitants of the District on the West side of Connecticut River which was severed from New-Hampshire in 1764. had been engaged in a long and bitter controversy with the government of New-York. They had even been obliged to have recourse to arms in defence of their estates; and frequent acts of violence had been committed. There was among them a set of intrepid men, ready to encounter dangers and trained to hardy enterprise. At the commencement of hostilities, by the advice of some principal opposers of the British Government in the other colonies, a company of those people styling themselves Green mountain Boys, marched to Ticonderoga and master that fortress, together with Crown-Point out of the hands of the British garrisons. A regiment of them was embodied by own and in pay of the general Congress. Their exertions in the common cause were meritorious and their services acceptable. Soon after the declaration of independence the inhabitants of that territory assembled in convention to consider their peculiar situation and concert measures for 1776 their safety. The opportunity which then presented for a change in their political connexions, was too precious to be lost: By the dissolution of the bonds which had held America in subjection to the crown of Britain, they conceived themselves free from the government of New-York to which the most of them had never voluntarily submitted, and being as they said reduced to a "state of nature", they thought that they had a right to form, such connexion as were agreeable to themselves. Accordingly they made and published a declaration; "That they would at all times consider themselves a free & independent state capable of regulating their own internal police; that they had the sole & 1777
"exclusive right of governing themselves, in such manner as they should choose not repug- Jan 15th
"nant to the resolves of Congress: and that they were ready to contribute their proportion to the common defence". Under the influence of these principles they formed a plan of Government and a code of laws, and petitioned Congress to receive them into the union. The inhabitants on the western side of Connecticut River were very conveniently situated to unite with those on the western side & many of them had the same principles and views. They argued that the original grant of New-Hampshire to Mason was circumscribed by a line drawn at the distance of 60 miles from the sea. That all the lines westward of that line, being royal grants had been held in subjection to the government of N.H. by force of the royal commission which

were vacated by the assumed Independence of the American colonies: and therefore that the inhabitants of all those Lands had reverted to a "state of nature"! By this expression however they did not mean that each individual was reduced to such a state, but that each town retained its corporate unity unconnected with any superior jurisdiction. They distinguished themselves between the commissions derived from the King, which were revokable at his pleasure, and incorporations held on certain conditions which being performed, the powers and privileges granted by the incorporations were perpetual. They asserted that Jurisdictions established by royal commissions, could bind a people together, no longer than the force that first compelled, continues to operate. But when the coercive power of the King was rejected, and its operation had ceased the people had a right to make a stand at the first ~~public~~ legal stage (viz) their own incorporations. These by universal consent were held sacred; hence they concluded that the Major part of each one of these towns had a right to control the minor part. and they considered themselves as so many distinct corporations, until they should agree to unite in one aggregate body. In their sentiments the people were not all united. The majority of some towns was in favor of their former connexion, and in those towns were a majority inclined the other way, the minority claimed the protection of the government. They supposed that the existence of their town incorporations and of the privileges annexed to them depended on their union to New-Hampshire: and that their acceptance of the grants was in effect an acknowledgement of the jurisdiction and a submission to the laws of the State. from which they could not be fairly disengaged without its consent as the State had never injured or oppressed them. (1) Observations on the right of jurisdiction over N. H. Grants. Printed 1778. (2) Public defence of the rights of N. H. Grants &c Printed. 1771. — [There are several publications relative to the New-Hampshire Grants of which I have seen. 1. "A defence of the New-Hampshire Grants &c (title page missing) printed probably in 1778 or 1779. in small 12 mo containing 56 pages to which are added — "Resolves of a convention held on the N. H. Grants. 4. pages. 2 Observations on the right of Jurisdiction claimed by the State of New-York & N. Hampshire over the N. Hampshire Grants (so called) lying on both sides of Connecticut River —. In a letter to the inhabitants on said grants" 12 mo pp 15. Danvers 1778: 3. A vindication of the conduct of the General Assembly of the State of Vermont held at Windsor in October 1778. against Allegations and remark of the protesting members; with Observations on their Proceedings at a convention held at Cornish on the 9th day of December 1778.

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By Ira Allen. Arlington Vt. Jan 1779. 12 mo pp. 48. Dresden printed by Aden Spooner 1779. "A concise Recitation of the Claims of New Hampshire and Massachusetts Bay to the Territory of Vermont with occasional remarks on the long disputed claim of New-York to the same. Written by Ethan Allen and Jonas Fay. Esqs. 12. mo. pp 29. Hartford *.

1780 Besides the above another publication was. An Animadversary Address to the inhabitants of the state of Vermont with remarks upon a proclamation under the hand of his Excellency George Clinton Esq: Governor of the State of New-York. By Ethan Allen. 8 vo. pp. 24. Hartford. 1778. Much pains were by the other party to disseminate the new ideas. Conventions were held. pamphlets were printed, and at length a petition was drawn in the name of sixteen * towns on the eastern side of Connecticut River, requesting the new state, which has assumed the name of Vermont to receive them into its union. Alledging that they were not connected with any state with respect to their internal police: The assembly at first appeared to be against receiving them, but the members from those towns situated near the River on the west side, declared that they would withdraw and join with the people on the east side in forming a new State. The question was then referred to the people at large and means were used to influence a majority of towns to vote in favor of the union, which the assembly could not confirm. The sixteen towns were accordingly received and the Vermont assembly resolved, that any other towns on the eastern side of the river might be admitted on proceeding a vote of the majority of the inhabitants or on the appointment of a representative. Being thus admitted into the State of Vermont they gave notice to the Government of New Hampshire of the separation which they had made, and expressed their wish for an amicable settlement of a Jurisdictional line, and a friendly correspondence. June 22.

The President of New-Hampshire in the name of the Assembly, wrote to the Government of Vermont claiming the sixteen towns as part of the State, the limits of which had been determined prior to the revolution, remaining firm that those towns had sent delegates to the convention in 1775. that they had applied to the assembly for arms & ammunition, which had been to them: that their military officers had accepted commissions.

(1) Mss. in New-Hampshire files

* 1 Cornish, 8 Bath,
2 Lebanon, 9 Lyman.
3 Dresden } a name given to the district belonging to Dartmouth College but now dismissed. } 10 Alstead } now divided into Littleton & Dalton

4. Lime
5. Orwell
6. Vermont
7. Hartford

11. Enfield
12. Canaan.
13. Gageigan now Orange.
14. Landaff.
15. Dunbarton now new Concord
16. Morristown now. Franconia.

and obeyed orders from the government; that the minority of those towns were averse to a union & had claimed protection of the state which the assembly thought themselves bound to afford. and beseeching him to use his influence with the assembly of Vermont to dissolve the newly formed connexion. At the same time the president wrote to the delegates of the state in Congress. desiring them to take advice and endeavor to obtain the interposition of that body; intimating his apprehension, that without it the controversy must be decided by the sword. as every condescending measure has been used from the beginning and rejected. The governor and Council of Vermont sent a messenger to Congress to see in what light the new State was viewed by them. On his return he reported, that the Congress was unanimously opposed to the union of the sixteen towns with Vermont; otherwise they (excepting the delegates of New-York) had no objection to the independence of the new state. At the next session of the Vermont assembly at Windsor. when the representatives of the sixteen towns had taken their seats, a debate arose a question whether they should be erected into a new County which passed in the negative. Conceiving that they were not admitted to equal privileges with their brethren, the members from those towns withdrew. and were followed by several others belonging to the towns adjoining the river on the west side. They formed themselves into a convention and invited all the towns on both sides of the river to unite to set up another state by the name of New-Connecticut. This Secession bade nearly proved fatal to the State of Vermont: A ridge of mountains which extends from south to north through that territory seemed to form not only a natural but a political line of division. A more cordial union subsisted between the people on the eastern side of the Green Mountains. and the eastern side of Connecticut River, than between the latter and those on the western side of the mountains; but these alone were insufficient; without others to make a State. The Governor, and other leading men of Vermont who resided on the west side of the Mountains wrote letters to the Assembly of New-Hampshire, informing them of the separation and expressing their disapprobation of a connexion with the sixteen towns.

The assembly regarded these letters as ambiguous, and as not expressing a disinclination to any future connexion with them, Jealousy is said to be a republican virtue. It operated on this occasion & in the event proved that it was not without foundation.

A convention of delegates from several towns on both sides of the river assembled at Charlestown and agreed to unite without any regard Dec 9.
to the limits established by the King in 1764. and to make the following proposals to New-Hampshire (viz) either to agree with them on a dividing line, or to submit the dispute to Congress or to arbitrators mutually chosen. If neither of these proposals were accepted, then in case they could agree with New-Hampshire on a form of government they would consent that the "whole of the grants on both sides of the river should connect themselves "with New-Hampshire, and become one entire state, as before the royal "determination in 1764. Will one or other of ~~these~~ proposals should be complied "with, they determine to trust in Providence and defend themselves".

An attempt was made in the following year to form a constitution for New Hampshire in which the limits of the state were said to be the same 1779
as under the royal government "reserving nevertheless our claim to the New-Hampshire Grants west of Connecticut river. Though this form of government was rejected by a majority of the people; yet there was a disposition in a great part of the assembly to retain their claim to the whole of the grants westward of the river. At the same time the State of New-York set up a claims to the same lands; and it was suspected, perhaps not without reason that intrigues were forming to divide Vermont between New-Hampshire & New-York by the ridge of mountains which runs through the Territory. Certain it is, that the Vermonters were alarmed; and that they might have the same advantage of their adversaries they extended their claim westward into the State of New-York & eastward into New Hampshire; and thus not only sixteen towns, but several other towns in the counties Cheshire & Grafton become incorporated by articles of "union and confederation". It is not easy to developpe the intrigues of the several parties, or to clear their transactions from the obscurity which surrounds them * He who looks for consistency in the proceedings of the Conventions and assemblies which were involved in this controversy, will be disappointed. Several interfering interests conspired to perplex the subject. The people on the western side of the Green Mountains wished to have the Government among them. Those adjoining Connecticut river on both sides were desirous of bringing the center of Jurisdiction to the

verge of the river. The leading men in the eastern part of New-Hampshire were averse to a removal of the government from its old seat. Vermont had assumed independence, but its limits were not defined. New-York had a claim on that territory as far as Connecticut river, from which there was no disposition to recede. That state had been always opposed to the independence of Vermont. New-Hampshire at first seemed to acquiesce in it.

*(The Author has spared no pains to gain as perfect a knowledge of those things as the nature of them will admit. If he has not succeeded in obtaining materials for a just and full account, it is his request that those who are better acquainted with the subject would oblige the public with more accurate information) and some letters which the President wrote to the Governor of Vermont when threatened with invasion in 1777. were understood as an acknowledgement of it. Had there been no attempt to unite with the towns on the eastern side of the river, New-Hampshire would perhaps never have opposed the indepen- of Vermont. But the assembly was afterwards induced to claim all that territo- which lay before the year 1764. had been supposed to be the limits of the State. This interfered with the claim of New-York, and at the same time, Massachusetts put in a claim to a part of Vermont. The controversy had become so intricate that it was thought necessary to be decided by Congress & appli- cation being made to that body, they recommended to the three states of New-York Massachusetts and New-Hampshire to pass acts which should au- Congress to determine their boundaries. and at the same time they advised the people of Vermont to relinquish jurisdiction on all persons on the west or east side of Connecticut river, who had not denied the authority of New-York & New-Hampshire, and to abstain from granting lands, or confiscating estates, within their assumed limits till the matter should be decided. The States of New-York & New-Hampshire passed these acts; but Massachusetts did not. The Vermont assembly proceeded in granting lands and confiscating estates. and Congress could only resolve that their proceedings were unwarrantable.

It was necessary that nine states should be present in Congress besides those whose claims were to be heard. A deficiency in the representation caused a long delay. but after the expiration of another year the question was brought on — The claims of New-York & New Hampshire were put in and both pleaded that Vermont had no right to independence. 1780 Sep. 20.

The Agents of the new State asserted their rights and offered to become part of the union: in framing it they could not be admitted they should be reduced to the necessity of making the best terms with the British Government.

'How few intrigues of this kind were carried on it may be difficult to ascertain, But that the British Government had some dependence on the defection of Vermont appears from the following paragraph of an intercepted letter from Lord George Germaine to Sir Henry Clinton dated Whitehall, Feb. 7. 1781. 'The return of the people of Vermont to their allegiance is an event of the utmost importance to the Kings affairs; and at this time if the French and Washington really meditate an irruption into Canada, may be considered as opposing an insurmountable bar to the attempt. General Haldeiman who had the same instructions with you to draw over those people, and give them support will I doubt not push up a body of troops, to act in conjunction with them, to secure all the avenues through their country into Canada, and when the season admits take possession of the upper parts of ~~Connecticut~~ the Hudson and Connecticut Rivers, & cut off the communication between Albany & the Mohawk country. How far they may be able to extend themselves southward and eastward must depend on their numbers and the disposition of the inhabitants.

Aug. 4. 1781. Pensylvania Packet.

The cause was further perplexed by a constitutional question whether Congress had any power to form a new State within the limits of the union? The decision was deferred; and after eleven months Congress had proceeded no farther, than to lay down as an indispensable preliminary to the recognition of Vermont as a member of the union; that they should explicitly relinquish all demands of land and jurisdiction on the east side of Connecticut river and on the west side of a line drawn twenty miles eastward of Hudson river to Lake Champlain: When this resolution was laid before the assembly of Vermont which met at Charlestown, they determined to remain firm in the principles on which they first assumed government & to hold the articles of union inviolate, that they would not submit the question of their independence to the arbitrament of any power whatever, but they were willing at present to refer the question of their jurisdictional boundary to commissioners mutually chosen & when they should be admitted into the American union they would submit any such disputes to Congress. The state of society between the seceding towns at this time was very unhappy. The majorities attempted to control the minorities & these were displeased not to submit but to seek protection of the government with which they had been connected. At the same time & in the same place justices sheriffs & constables appointed by the authority of both states were exercising jurisdiction over the same persons. Party rage high words and 4/12

and deep resentment were the effect of these clashing interests. An affray which began in the town of Chesterfield threatened a scene of open hostility between the states of New-Hampshire & Vermont. A constable appointed by the authority of Vermont, had a writ in an action for a debt against a man who was in the interests of New-Hampshire. He found the man in company with a number of people of his own party and attempted to arrest him. The owner of the house interposed. The Constable produced a book which he said contained the laws of Vermont and began to read. The owner of the house forbade him. Threatning words were used, and the officers compelled to retreat. By a warrant from a Vermont justice, the householder and another of the company were committed to prison in Charlestown. They sent a petition to the assembly of New-Hampshire for relief. The assembly empowered the committee of safety to direct the sheriff of Cheshire to release the prisoners. They further empowered the committee to cause to be apprehended and committed to prison, in any of the counties all persons acting under the pretended authority of the State of Vermont, to be tried by the courts of those counties where they might be confined, and for this purpose, the sheriffs were empowered to raise the posse comitatus

(1) Ms. copy of Vermont resolves in New-Hampshire files

(2) Ms. depositions and letters in the files

In attempting to release the two prisoners from Charlestown goal the sheriff himself was imprisoned by the Vermont sheriff under the authority of a warrant from three justices. The imprisoned sheriff applied to a Brigadier General of N. Hampshire to raise the militia for his liberation. This alarmed the Vermonters; and orders were issued by the governor for their militia to oppose force to force. A committee of Vermont was sent to Copeler to agree on measures to prevent hostilities. One of this committee was the Vermont Sheriff, he was immediately arrested & thrown into prison at Copeler, & then held as a hostage for the release of the sheriff of Cheshire. The assembly issued a proclamation allowing forty days for the people in the revolted towns to repair to some magistrate of N. Hampshire, and subscribe a declaration that they acknowledged the extent of N. Hampshire to Connecticut River, and that they would demean themselves peacably as good citizens of that State. They also ordered the militia of all the counties to hold themselves in readiness to march against the revolters. While affairs wear such a threatening aspect between the two States, measures were used at Congress to take up the controversy on more general ground. A committee who had under consideration the affair of admitting Vermont into the Union and determining its boundaries prevailed on General Washington, then at Philadelphia to write to the Governor of Vermont advising to a relinquishment of their late extension as an indispensable preliminary to their admission into the Union. intimating also that upon their non-compliance they must be considered as

having a hostile disposition towards the United States, in which case coersion on the part of Congress however disagreeable would be necessary + The letter of Gen. Washington is not found in the files, but a copy of it may be seen by referring to Dr Belknaps Hist. of N. Hb. page 392.394. Dover Edit:n 1831. It had the desired effect. The assembly of vermont taking advantage of the absence of the members from the eastern side of the river, obtained a majority for complying with the preliminary and resolved, "that the western land of Connecticut river on the one part, and a line drawn from the northwest corner of Massachusetts, northward, to Lake Champlain, on the other part, be the eastern and western boundaries of the State of Vermont, and that they relinquish all claims of jurisdiction within those limits." When the members from the eastern side of Connecticut river arrived, they found themselves excluded from a seat in the Assembly and took their leave with some expressions of bitterness. After this compliance it was expected that Vermont would be admitted into the union, and the question was solemnly put in Congress (Apr. 14. 1782.) but a majority decided against it, to the no small disappointment of many persons, besides the inhabitants of the disputed territories. The pretence for this decision was that they had exceeded the limited time, but they had complied with the "indispensable preliminary," and the order of Congress requiring it stood unrepealed. Though cut off from their connexion with Vermont, the revolted towns did not at once return to a state of peace but the divisions and animosities which had so long subsisted, continue to produce disagreeable effects. The judicial courts of New Hampshire had sat without much interruption in the counties of Cheshire & Grafton, whilst the officers of Vermont held jurisdiction also. But when the latter were excluded by the act of the Vermont Assembly a spirit of opposition began to arise against the sitting of the former. When the superior Court was holden at Keene, a number of persons appeared to oppose its proceedings, and effected their purpose so as to make an adjournment necessary; but three of the leaders of the opposition were arrested & bound over to the superior Court, and it was reported that 200 men had associated & armed themselves for that purpose. On the morning before the court was opened, several of the leaders came to the judges chamber & presented a petition, praying, that the court might be adjourned, and that no judicial proceedings might be had, whilst the troubles in which the country had been involved subsisted? They were told that the judges would come to no determination on the subject but in open court. When the court was opened, their petition was publickly read, & the consideration of it was postponed to the next day. The court then proceeded to its common business. The grand jury being impannelled, the doors of the house where they met were kept open whilst the attorney general laid before them the case of the rioters at the [illegible]

the Inferior Court. A bill was found against them.
They were arraigned, they pleaded guilty. and cast themselves on the mercy
of the Court, The Court remitted their punishment on condition of their future
peaceable behaviour.
This well judged combination of firmness and lenity disarmed the
insurgents, and they quietly dispersed. From that time the spirit of opposition
to government in that quarter gradually abated, and the people returned to
their connexion with New-Hampshire.

Copy of the Attorney and the Solicitor General Report dated August the 14th. 1752. upon a question with the State of the case with respect to certain Townships and tracts of land granted by the Massachusetts Bay & Connecticut in New-Englandㅤ

New-Hampshire

State of the case with respect to certain Townships and tracts of land granted by the governments of the Massachusett Bay & Conn. in New-England which Townships and Tract of land are now part of the province of New-Hampshire, by the determination of the boundary line between that province and the province of the Massachusetts Bay of the year 1738ㅤ

Disputes having for a long time subsisted between the province of the massachusetts Bay and New-Hampshire with respect to their boundaries in 1733. a petition was presented on behalf of the province of New-Hampshire, praying that commissioners might be appointed to ascertain the boundaries.

Upon hearing of both parties before the Attorneys and Solicitor General the board of trade and the Council his majesty was pleased by his order in Council of the 9 February 1736, to direct that a commission should be prepared and pass under the great seal authorising commissioner to mark out the dividing line between the province of Massachusetts Bay and New hampshire giving liberty to either party therein who thought themselves aggrieved to appeal therefrom to his Majesty in Council in pursuance of his Majestys said commission Commissioners met and reported their determination especially upon which both provinces appealed to his Majesty in Council & afterwards the Lordships reported to his Majesty as their opinion that the northern boundaries of the Massachusetts Bay are and be a similar curve line pursuing the course of Merrimack River at three miles distance from the north side thereof beginning at the Atlantic ocean & ending at a point due north of a place in the plan returned by the said commissioners called Pawtucket Falls & a straight line drawn from thence due west crossing the said River, till it meets with his Majestys other governments & that the west of the commissioners said report or determination be affirmed by his Majesty. In 1738 his Majesty was pleased with the advice of his privy Council to approve of their Lordships

repart and to confirm it accordingly in consequence whereof the line has been marked out. In the years 1735 & 1736 while the appeals from both the Massachusetts Bay & Newhampshire were depending before his Majesty the General Assembly of the Massachusetts Bay granted above thirty townships between the Rivers Merrimack and Connecticut which townships upon the running the boundary line in 1738 fell within the province of Newhampshire. The conditions of these grants were that the grantees should settle the said townships within three years after the date of their respective grants but this condition has been performed by very few, if by any of the grantees. no obligation to pay quit-rents or a reservation of Pine trees fit for the service and supply of his Majestys navy, are inserted in any of these grants. altho' no grants ought in good policy to be made of any lands in any part of North America, without both these provisions which have been thought of so much importance & so absolutely necessary for the public service that Mr Wentworth his Majestys governor of New Hampshire was particularly instructed in the year 1741. never to pass any grant of lands without enjoining express conditions of cultivation the reservation of quit-rents & the reservation of such pines as are of size for the use of his majestys navy. There are also about 60,000 acres of Land situated on the West side of Connecticut River which were purchased by private persons from the Government of Connecticut to whom that Land had been laid out by the government of Massachusetts Bay, as an equivalent for two or three townships which the Massachusetts Bay purchased from Connecticut Government: this tract of land by the determination of the boundary line in 1738. is become a part of New-Hampshire but the proprietors of it are subject to no conditions of improvement & the land lies waste and uncultivated.

(The paragraph seems to come from)

Question

Whether the Crown can resume the lands granted by the province of the Massachusetts Bay under condition of cultivation those lands being now become a part of New-Hampshire by the running of the boundary line in 1738. in cases where the proprietors have not performed the conditions of their grants and if the Crown can what is the most advisable and regular way method of making such resumption? Whether in the cases of the lands granted away by the province of the Massachusetts Bay to particular persons without any condition of cultivation the Crown can now enforce the proprietors of such lands to cultivate them or oblige them to take these new

lands under new grants upon the said lands being made a part of the province of New-Hampshire. By the determination of the boundary line in 1738?

Answer.

We are clearly of opinion that crown may resume the lands granted on condition of settling within three years where there has in fact been no settlement. With regard to lands granted by the Massachusetts Bay without any such express conditions, where there has been no settlement, as they appear now to have been no part of that province, their grants are in themselves void, as against the Crown and there appears no ground to support them but on the part of the direction which we find to have been given in an order of Council of the 22nd of January 1735. when the comanission for making the dividing line between the two provinces was first directed viz. That due care should be taken that private property might not be affected by it. We do not find that this direction was continued either in the order of the 9th of February 1736. on which the present commission issued or in the commission itself; or that the commissioners have in their report taken notice of any such private rights, or that they are saved in the final order of Council that established the boundary line, however considering the manifest intent of these sort of grants whether appearing from the general nature or the particular recitals or consideration of them, that the Country may be settled & inhabited and the tacit condition attendant on them, that the lands should be settled in a reasonable time, we think due care will be taken of the private property arising from these grants, if his majesty shall be pleased to give these sort of proprietors a reasonable time to come in & accept of new grants, upon terms of settling the lands within a certain time, reserving the old quit rent and fines fit for his Majestys Navy; and in case of their not accepting these terms his Majesty may resume the lands. The proper manner of making such resumption after such default is by making new grants to such as shall be willing to accept them at such rents & on such terms as shall be thought most advisable.

(Signed)

D. Ryder.

Wm. Murray.

17th. August 1738.

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John Munro to James Duane

Forks in the County of Albany. March 28. 1772.

Dear Sir

By my Letter to Mr Kempe of the 27th. inst. you will be acquainted with my expedition against Mr Backer. You always flatter yourselves with the New Englanders mens turning good and faithful subjects, but believe me that it's my solid opinion if you was to bestrow all your favors upon them without any fee, or reward they never will be faithful to this Govt: for they are all possessed of a spirit of contradiction they're so full of venom and spite against the Govt. and all its authority though they are forced to comply, yet the sting remains and they'll talk so smooth & handsome, yet the devil lies at the bottom. I sincerely believe that they'll stand an engagement come again them who will, and for my part I wish they may that we may have the opportunity of securing the heads of them. I believe their behaviour to me this trip will convince the Gov: what they are but unlucky for me that no man of spirit can be found here: had I but ten men that would stand by me when the Bennington mob met me I should have Mr Backer in Albany goal but all run for it only the two constables but we was not sufficient to stand the force that came against us for I expected nothing but that they would murder us upon the spot: for every man came up with his gun cocked at us for my part there is nothing for me but to fight or die. which I intend to do to the very last: but the terror that my family is put to in crowds still harder upon me & if I shall put them out of the way it shall be giving them more pleasure. I am really afraid that when the villain gets well of his wounds he will be revenged however I have his gun and I am determined to give him the full of it before he shall get into the House. However should I be so unhappy as to lose my life by these villains I must beg that Mr Kempe, you and my other friends in New York shall be kind to my helpless family & see that they shall have justice done them. I have been recommending some to you in order to put them in the commission of the peace but I beg you will prevent it for they never shall be credit to the office. God grant that I may see the day that I shall have some good and wholesome inhabitants about me, for if I was to be murdered to night with all my family not one single soul would come to my relief. Therefore whatever the Govt intend to do. I pray it may soon be done for I am not able to stand it long at any rate. I was in a fair way to recover but this trouble has thrown me back very much. Pray be so kind as to write me soon either you or Mr Kempe. I am. Sir. your very obdt. Servant.

John Munro

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Extract from the Connecticut Courant March 24. 1772.

Whereas the massacreing (No 979) G— Gryon of New York has issued a proclamation and caused it to be inserted in the New-York Mercury, in which he attempts to acquaint the public the state of the controversy subsisting between the numerous families settled upon the Lands granted under the great seal of the province of New-Hampshire and certain mercenary, intriguing, monopolizing men of the city of New-York and elsewhere, which constitute an infamous fraternity of diabolical plotters after the lands aforesaid. and whereas G— Gryon in his proclamation, has either through ignorance or design, given the public a very wrong narrative of the State and facts of the controversy aforesaid, of which every person acquainted with the New-Hampshire settlements can witness - and being flushed with victory over the Carolinas, has breathed through his proclamation the spirit of slavery and horror to the settlers aforesaid. & having dy'd his scarrish proclamation, and ting'd it with a tincture of the crimson of North-Carolina, horrible scene! I do not propose to grope the numerous accusations and false representations contained in the proclamation, & then shew at large, the fallacy thereof, for this would be too prolix for a newspaper. I shall therefore briefly observe that G— Gryon in his proclamation affirms the following falsity (let this answer for a specimen of the rest) viz) that the settlers aforesaid daily commit acts of violence, openly bid defiance to the authority of this government. by opposing the execution of every legal process. This is notoriously false, for in cases of debt on contract; the inhabitants of them lands have never opposed any sheriff constable or deputized persons in the execution of their office - the truth is that the inhabitants aforesaid, submit to every legal process refuse to submit to none, but such as are manifestly illegal, subversive of property, & inconsistent with the first principles of common sense, and which if complied with would terminate in the Enrichment of the aforesaid fraternity of execrable platters after the Lands aforesaid, upon the property labours, and final ruin of themselves.

True the said inhabitants opposed the Sheriff of Albany County when he came to take possession of their houses and Lands in order to give the possession of them to a number of rapacious wretches more deserving the halter.

When New-York by the handle of Jurisdiction aim at the property of the inhabitants, and that flagrantly can they expect obedience? Surely it is not due in this case. Can the New-York scribblers by the art of printing alter wrong into right; or make any person of good sense believe that

a great number of hard laboring peasants going through the fatigues of settlement and cultivation of a howling wilderness, are a community of riotous, disorderly, licentious, treasonable persons? Surely they cannot— Among the aforesaid inhabitants there is no talk or surmise whether there be any unloyal persons or not, but it is taken for granted that one and all of them are liege subjects to King George the third &c. But there seems a generation arisen at New-York that appear to be extravagant in loyalty to the king, and talk much of implicit obedience to government. This seems to be the first and greatest article of their creed. mighty sticklers for loyalty and submissiveness to government! Strange that these social virtues thus abound in the city, and the reverse of this to take place in the actions and lives of the inhabitants aforesaid, a wonderful settlement of peasants and such as the world was never acquainted with before! and it is matter of query whether they did not take the contagion from New-York from the pen of a scribbler— I know of but one way that these honest affectionate people can get rid of the N. York imputation of unloyalty and disobedience, riotousness & the like, & that is to submit to the doctrine of prolific disobedience & non-resistance & consequently give up the property of the bounty they settled & made valuable by extreme labor & fatigue to those loyalists. If this should be done we should hear of no riotous, licentious, disorderly peasants, altho' loyalty and submission to government is in itself is in itself essential to the good of society & in its own nature fit, agreeable, laudable, yet when an arbitrary tyrannical use is made thereof, it degenerates from the good ends for which it was designed, and terminates in the destruction of that very society for which it was designed to protect— And though the inhabitants aforesaid have made no resistance against government at all nor each against tyranny itself further than the laws of self preservation absolutely require— yet the intriguing Yorkers have beat it into the head of their tyrant, that they are a perverse, riotous generation, circulating faction against government &c. And upon this hypothesis the proclamates, threatening severest punishment to the inhabitants aforesaid, except they "demean themselves as good & faithful subjects of N. York," which in this sense of demeanor, I conclude he means that the inhabitants aforesaid quit the property of the country they have settled, to him & his favorites, such a demeanor as this God forbid! As to obedience and demeanor in any other sense, the brave inhabitants aforesaid, are ready to comply, and always have comply'd but the cursed doctrine

passive obedience and non-resistence. is too much for a brave free people to submit to, it originates from the capricious, mercenary humor of tyranny, and has been cherished from no other quarter, it is the very quintessence of tyranny, slavery & horror no good man would ever assume it, & bad men never fail of making a diabolical use thereof— But if the famous or rather infamous G— Bryon should make an other expedition northward instead of southward to enslave a free people, he would find them of a different mettle. from the southern provinces and besides his perfidious sort of clear talents are now discovered, and his word no more to be taken. Inasmuch as he shot upon the Carolinas contrary to his agreement so that the next time it is ten to one if he gets the first shot. and not at all probable this enterprising genius would have a chance to try his courage again, by shooting a flag of three men in the back, most likely the northern Princes will be aware of him. These things considered, it looks highly probable his limited northern expedition will be attended with different consequences from his former. among most oppressions, violence & monopolising the property of others there is some specious pretence of right set up to vindicate the actors from the imputation of dishonor and reproach. So in the present case— The mercenary Yorkers endeavor to draw the curtain of the Duke of York over their knavery & under pretence of being sons of the apostate Duke of York and themselves the owners of towns, fields and houses, that they builded not. Yet the government of New-York as a government nor any individual therein, has even had any conveyance of a foot of land from the Duke of York, nor does any landlord or person whatever, hold the fee or property of land in the said province, by virtue of any conveyance from the Duke of York but they hold the fee of their lands on a very different tenor viz by conveyance from the crown; yet if as G— Bryons proclamation affirms that King Charles gave to his brother James Duke of York in fee, the land west of Connecticut river to the head of Delaware bay. and allowing the fee still to be vested in him, his heirs, assigns, upon this hypothesis no person in the province of N. York hath the fee or property of the lands they possess. the fee remaining the property of the Duke of york &c. And further upon the same hypothesis, those individual grants under the great seal of New York which lay upon the grants under the great seal of N. H. are in their own nature equally null & void, with all other lands in said province which has been granted by the crown. the fee or property being in the Duke of York &c. so that the grantees under N. York & N. Hampshire are both upon this stating the

grantees under N. Hampshire have argument of settlement, occupation & possession on their side, which is abundantly sufficient to give the priority & preference of title to them, so that our proclamationer and his Duanes & Kemps, with all their club of lucrative plotters, gain nothing by building their hopes on the shoulders of the Duke of York, for if there be any thing in it it defeats their own title as well as that of New Hampshire proving too much for their purpose. But if the lands contained in the Duke of Yorks grant reverted back to the Crown. When the Duke of Yorks patent became extinct, null, and absolutely void & is as though it had not been. Whether the said reversion happened in consequence of the said Dukes abdicating the throne, turning papist or any formal surrendery of the Charter to the Crown or if by any means whatever, if the fee or property of the said lands became invested in the Crown when the Duke of Yorks charter became extinct as aforesaid so that whether the fee of the lands in dispute, still remain in the Duke of Yorks &c. or reverted or was surrendered back to the crown, more of all this will in the least justify the Yorkers in founding their petition of title to the lands aforesaid, by virtue of the old obsolete grant from King Charles to the Duke of York: for take the argument one way and it overturns York the title of N. York & N. Hampshire also. leaving the N. Hampshire grantees in occupation and possession of the Land, and that only being destitute of the fee thereof, and the York grantees utterly destitute of the least Labor of title whatever. But take the argument the other way (viz) provided the fee reverted to the Crown. When the said Lands at the time of granting were crown Lands, the same as though the Duke of york had never Existed. However the truth of the matter I concluded to be this. viz. That the under proprietors all except William Penn who had the several counties parcelled out to them by the Duke of York which was contained in his patent; surrendered their charters to the Crown whereby N. York & N. Jersey became Royal governments: This then being the state of the case the lands in dispute were crown lands and the Gov. of N. Hampshire as well as N. Y. crown officers or Kings agents and it is of no consequence to the Crown which of his officers grant his Lands. if so be they be granted to and settled by Loyal & industrious subjects. Thereby adding to the revenue of the crown. & enlarging and strengthening the Kingdom. This being supposed we will now assent for supposition only that the Gov. of N. Hb. exceeded his proper limits in granting Crown Lands — yet this was a point his grantees could not be competent judges in this case. Must the grantees who have settled the crown lands paid one of the crown officers for granting the same & laid out their all in settling and cultivating his Majestys Wilderness Land and who

are truly loyal subjects, be turned of the said Lands by Thousands and reduced to starving poverty. together with their numerous families, because of the Crown officers either ignorantly or designedly imposed upon the people. by granting Lands over his bounds? This would be extreme wrong. the more so as is cannot be supposed the subjects are capable judges of the jurisdiction of governors & consequently there should be the utmost care taken, to guard the subject from injury in all cases of this nature. The truth of which will more fully appear from the following considerations. Viz. That notwithstanding the supposed error in granting the said Lands. yet the great end of the crown in granting the said Lands is completely answered and provided the Subjects Viz. the settlers are granted in the fee of the said Lands, they will not be injured so that upon this hypothesis, neither King or subject would sustain damage altho it be supposed there were an error in granting, indeed no person in the relm could have just cause of complaint. Tho the respective governors of N. York insinuate that upon this state of the case the governors of N. H. has cheated them out of their fees for granting the said Lands, though it is evident if crown officers are faithful to the King and subject they could not take more money for granting crown Lands. than a reasonable compensation for their trouble, and the other governor being supposed to grant the Lands, serves the respective governors of N. York the trouble thereof, so that the argument is brought to this narrow crisis at last namely that upon the supposition, the governor of N. Hampshire exceeded his proper limits in granting the lands in dispute, yet neither King nor subject is injured, provided the said grantees under New-Hampshire held the fee of the said Lands or any person in the whole relm except the respective governors of N. York. and they be supposed to be honest men. the trouble of granting said Lands would have been injured a whit more in this case than they may have been supposed to injure the subjects by taking exorbitant fees for granting said Lands. which to them is no injury at all, but a providential check to their avarice; so that the respective governors of New-York. in an equitable sense are no losers in this affair. or at least the privilege would be so inconsiderable as to make it mear trifling to mention it. especially if we compare it with the base and universal distraction

that would overspread a large country of his Majestys good subjects provided the be dispossessed of the lands aforesaid. this seems to be the general scope of the arguments even upon the yorkers flattering it. not that I suppose that the Gov. of New. Hampshire died in fact exceed his proper limits in the granting the said lands. the contrary of all this will appear from the following considerations (viz). Before and at the time the Governor of New-Hampshire granted said lands they were reputed by common fame to be in his province, and common people are not capable of judging upon a higher principle, and such were the generality of the purchasers and setters and were consequently innocent in so doing. And furthermore men of the best and most refined sense & learning in the several adjacent provinces at the time said lands were granted. supposed that New. Hampshire would extend as far west as Connecticut and the Bay province and extend north upon a parallel line with them governments, and thus we may find it plaind in all ancient maps. this was apparently the common understanding of the nation of both learned & unlearned, but there is another more glaring and indisputable evidence of the former western extent of N. Hampshire, on a parallel with the Bay province, namely. the grand dispute and settlement of the line between the Bay province & N. Hampshire, the facts are these viz. Fort Dummer lies west of Connecticut river & on the lands in contest was built & garrisoned at the expense of the Bay province & that for a number of years. But upon a settlement of the line between the respective provinces, it fell into the province of N. Hampshire contested which of them should garrison and maintain it. Inasmuch as the maintaining that fort was thought to be as much or more utility in defending and guarding the frontiers of the Bay provinces as that of N. H. into which it had fallen. this dispute was judiciously determined by his Majesty and Council. and the royal determination was that N. Hampshire should maintain Fort Dummer, which thing was complied with. This being the case the Gov. of N. Hampshire by the royal decree had to maintain Fort Dummer it being on the west side of said river, and on the very identical lands now in dispute. can he justly charged with granting lands in the province of N. York, when a little before his Majesty and Council had assigned the same lands to be his government & ordered him to defend it (viz) to maintain Fort Dummer? Surely at that time his majesty and Council adjudged the province of N. H. to have extended west of Connecticut river. otherways

he had ordered the Governor of N. York to have maintained it. Nothing can be more flagrantly certain than that the Governor of New Hampshire had a right to grant crown Lands, where the crown compelled them to defend From these and many other circumstances too tedious to mention it appears that the government of N. Hampshire had a legal right to grant the Lands now in dispute & that the and his Majestys good subjects, grantees and settlers on the Lands aforesaid acted upon honest & honorable principles in granting purchasing & settling the Lands aforesaid, and upon honest and that they never will be dispossessed thereof. But on the other hand it appears that the infamous S. Bryon, together with his insatiable fraternity of mercenary intriguers after the Lands, Labors, Houses and property of the inhabitants aforesaid, are a parcel of mean spirited, servile wretches, and that arguments from painted swords, & muzzles of firelocks would be but a proper resentment of their inhumanity if they turn a deaf ear to the reasons before offered - It is true in the year A°. 1764. which was since the governor of New Hampshire granted the said Lands, his Majesty was pleased to constitute the west bank of Connecticut river to be the east boundary of the province of N. York. But this cannot be supposed to affect any thing but jurisdiction only. it is solely at his Majestys option to alter jurisdiction as he sees fit he may annex the disputed Lands, back again to the province of N. Hamp. or erect it into a new province or take any measures he sees convenient as to jurisdiction. But upon such like altercations of jurisdiction personal property is never subjected. This would render a King absolute and despotic which is not the constitution of our Kingdom. There is indeed as much odds between personal or private property & jurisdiction as between light and darkness. Though Knaves may try to blend them together to serve sinister and lucrative purposes. G. Bryon in his proclamation, made no distinction respecting this last particular, nor was there any thing but amusement & scarecrow and gallacy in that performance. It appears impolitic in my view, that he should at this time push his monopolizing into the west part of the Bay province - I should have thought he might have delayed until he had conquered the N. Hampshire settlers first; his own words are these; respect to the Massachusetts Bay they have possessed themselves of the Lands west of Connecticut river by intrusion" This is a home charge upon so great a province - nor could he allege more against the N. Hampshire settlers, only as they oppose the Sheriff in his

attempts to take possession of their houses and farms. & thereby acquired the character of licentious, disorderly, wicked & riotous. and provided the Sheriff of Albany County with his posse should take a tour into the Bay province to dispossess any of their inhabitants I will warrant the Bay never will give at least as much latitude for complaint of licentious disorderly, riotous &c as the Hampshire settlers have done, though it is true the absolute claim under the Duke of York, is equally good against that part of the Bay province, west of Connecticut river as against the New Hampshire grants, and nothing but a mighty hand and an outstretched arm can secure either from the ravages of N. York, unless our most gracious sovereign should interpose his royal authority and subject them to their proper bounds.

By a Lover of Reason & Truth.

To his excellency. William Tryon. Esq: Capt. General & Governor-in-chief of the Province of New-York &c. &c.

The petition of Lieut. Col. John Reid, late of His Majesty's 42^D or Royal Highland Regiment.

Humbly sheweth. New-York. 26^th August. 1773.

That the petitioner thinks it his duty to lay before your Excellency & the Honorable Board the letters & documents annexed from Lachlan McIntosh. Esq. one of His Majesty's Justices of the Peace for the county of Charlotte & from James Henderson, one of the petitioners Tenants at Bitter Creek, situate a few miles east from the fortress of Crown Point.

That from the information contained in these letters on the truth of which the Petitioner can depend, it appears that the New-Hampshire Rioters bidding defiance to all law & to the Civil Authority of this Government, have on the 11^th inst. committed the most violent outrages, in wantonly destroying a Grist-Mill which the Petitioner had erected on his lands in that distant part of the country at a considerable expence; in burning all the houses which had been erected by his Tenants for between six & seven years past, during which time the petitioner has had possession of these lands, & in threatening to skin them poor distressed men alive, if they again attempted to build houses & keep possession.

That your Excellency in Council having lately thought fit to issue a commission of the peace for the new county of Charlotte, these Rioters in contempt of all Law have also dared to threaten the Justices appointed in that commission to treat them more than slaves; & in short, their late conduct amounts to an open declaration of war against this Government -

That Warner, Baker & Allen, the ringleaders of these Rioters in lately passing through the Colony of Connecticut have impiously & blasphemously affected to call themselves the Holy Trinity, which impiety drew upon them

the resentment of that government from which they were obliged to fly; but they have hitherto escaped punishment. From hence, your Excellency may form a judgment of their followers who are composed chiefly of debtors and vagabonds from the New England colonies & who have enlisted themselves under the banners of the above named miscreants in order to keep possession of an extensive country to which they have no right & there to live out of the reach of the Laws.

That though it appears the Rioters have assembled their whole force on the above occasion which they thought necessary in order to dislodge a few men, they are so far from being formidable that the Petitioner can, with confidence say they would have fled before one company of Infantry; & the Petitioner is equally confident that if instructions were given to the officers commanding at Crown Point & Ticonderoga to be assisting, if needful, to the civil magistrates in the execution of their duty, the peace of that part of the country could easily be maintained without the effusion of one drop of blood; and it is owing to a supposition of these Rioters that the civil Magistrate will not be supported, that they have so frequently dared to commit such outrages.

That the people of the township of Bennington, who have unjustly taken possession of lands in this province which were not even granted to them by New-Hampshire are the chief cause of all these disturbances having marched at least one hundred miles from Home through an unsettled country in order to join in the late Riot. That during the very time they sent Deputies here last year to implore your Excellency's favor & promising good behavior for themselves & adherents, till His Majesty's pleasure with regard to them should be known. An armed party of men from that Township, in a most treacherous manner were sent to seize the Country on Otter Creek & to dispossess the few inhabitants

3-3. their holding under this Province; and among others, did
disposess & threaten the lives of the Petitioners Tenants.
in consequence of which, the greatest part of them went
off & have not returned to their possessions.

That in open
violation also of the engagements of the said Deputies
from Bennington, they have permitted & encouraged a
number of intruders particularly this last Spring, to take
possession of lands in that part of the country which
were granted to reduced officers & others, & indeed ever
since the Royal adjudication of July 1764 confirming Con-
necticut River as the eastern boundary of this Province, they
have openly encouraged a number of Vagabonds from the
New-England Colonies to settle under them, vainly hoping that
possession alone will give them a right.

That the said lands dur-
ing the last war were not only wrested out of the hands of
the French, by the assistance of these very officers, but are also war-
ranted by an ancient grant made under the Great Seal of this Pro-
vince towards the latter end of the last Century & at least forty-five
years before New-Hampshire was a royal Province or even extended
as within twenty miles of Connecticut River, the original east-
ern boundary of the Province - That three of the said intruders
did sometime about the beginning of this present summer
take possession of Houses that were built & of lands which were
mostly cleared by the Petitioners Tenants, which, by the an-
nexed obligation, it will appear they have acknowledged under
their hands & seals.

That the Petitioner was informed, that if he did
not maintain his right, a number of intruders more would com
spread themselves over his land, to prevent which, the Peti-
tioner, having agreed with a few families who lately ar-
rived from Scotland, did accompany & carry them near three
hundred miles to Otter Creek at a considerable expence & did
obtain peaceable possession for them of the houses & lands cleared
& improved by some of his former settlers, as has been men-
tioned - That tho' one of these intruders broke open & took

forced open a door of one of the said houses in order to take possession thereof - which he acknowledged in the presence of the Petitioner; & tho' he produced his new Hampshire right, as he called it, only a few months ago, knowing the title to be disputed & that the Petitioner had still possession of the Land, the Petitioner took no advantage of it. That tho' these intruders also did plant a quantity of Indian Corn, Potatoes & other things & sowed some summer wheat & cut a quantity of Hay on the Lands which had been improved by the Petitioners former Tenants, yet these intruders offering to retire peaceably & to come under an obligation at the same time that they would not return till His Majesty's pleasure with regard to them should be known, on condition that the Petitioner would agree to purchase their crop then on the ground. The Petitioner, therefore, in order to remove every pretence which these Intruders or their adherents in his absence might form against the Peace & tranquillity of his poor tenants did purchase & pay for their crop agreeable to a fair estimation thereof & the value thereof approved by themselves, as will appear by the annexed receipt & did mutually bind himself likewise, as well as them, strictly to abide by his Majesty's decree in council as will also appear by the annexed obligation in writing. That notwithstanding of the open & fair agreement made by the Petitioner with these intruders & tho' they even promised him at parting to caution & dissuade any of their adherents from settling on his Lands or giving his settlers any molestation before the matter should be finally determined by His Majesty in Council, the Riders from Bennington, Onion River, & from a neighboring settlement called Panton did about ten days after the Petitioners departure assemble all their force as has been mentioned, and tho' they could not fail of knowing the circumstances of his agreement with these intruders yet they destroyed the Crop & burnt the Hay which the Petitioner justly paid for with a design to distress & starve his poor Tenants;

and these poor afflicted strangers do now look up to the Petitioner for protection & sustenance which they are cruelly & barbarously deprived of by these lawless Ruffians.

The Petitioner therefore humbly prays for the protection of government for these poor strangers & hopes that such a daring & violent outrage & insult against the Rights of the subject & authority of government will not any longer be allowed to pass unpunished; & that the perpetrators thereof will also be obliged to make good to the Petitioner the great losses which he has sustained.

& your petitioner will ever pray &c.

John Reid -